

B VOL 1 OF 3COURT OF CRIMINAL APPEALS NO. CR-02-2104

APPEAL TO ALABAMA COURT OF CRIMINAL APPEALS

FROM

CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMACIRCUIT COURT NO. CC 2002-1417CIRCUIT JUDGE HOBBSType of Conviction / Order Appealed From: INTENTIONAL MURDERSentence Imposed: LIFE WITHOUT PAROLEDefendant Indigent: YES NO

DARRYL JEVON JOYCE

NAME OF APPELLANT

AIMEE C. SMITH (334) 264-6466
(Appellant's Attorney)

(Telephone No.)

640 S. MCDONOUGH STREET

(Address) MONTGOMERY AL 36104
(City) (State) (Zip Code)

V.

STATE OF ALABAMA

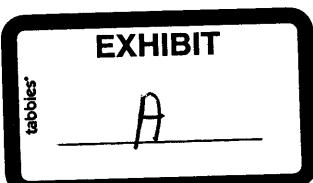
NAME OF APPELLEE

(State represented by Attorney General)

NOTE: If municipal appeal, indicate above, and enter
name and address of municipal attorney below.

(For Court of Criminal Appeals Use Only)

Part 1 of 5



INDEX
CLERK'S RECORD

CASE ACTION SUMMARY.....	1-4
AFFIDAVIT.....	5
TRANSCRIPT FROM DISTRICT COURT TO CIRCUIT COURT.....	6
INDICTMENT.....	7-9
NOTICE OF DISCOVERY.....	10-12
INCIDENT REPORT.....	13-15
JURY VERDICT.....	16
SECOND NOTICE OF DISCOVERY.....	17-19
CASE ACTION SUMMARIES OF PRIORS.....	20-39
VICTIM IMPACT STATEMENT.....	40-45
MOTION TO WITHDRAW & REQUEST FOR COUNSEL ON APPEAL.....	46
ORDER GRANTING MOTION TO WITHDRAW & COUNSEL ON APPEAL.....	47
TRANSCRIPT/CONVICTION REPORT.....	48
CERTIFICATE OF APPEAL.....	49
REPORTER'S TRANSCRIPT ORDER.....	50
INDEX OF EXHIBITS.....	51-52
EXHIBITS.....	53-83
CERTIFICATE OF COMPLETION.....	84

ACROSSIC
OPER: REG
PAGE: 1
IN THE CIRCUIT COURT OF MONTGOMERY

ALABAMA CIRCUIT INFORMATION SYSTEM CASE: CC 2002 001417.00
CASE ACTION SUMMARY RUN DATE: 11/15/2002
CIRCUIT CRIMINAL JUDGE: SMG

THE STATE OF ALABAMA VS JOYCE DARRYL JEVON
CASE: CC 2002 001417.00 320 BITFORD WAY
MONTGOMERY, AL 36108 0000

DOB: 12/30/1977 SEX: M RACE: S HT: 5'11 WT: 150 HR: EYES:
SSN: 421313693 ALIAS NAMES: FAULK WILLIE LOVE PONCHO
CHARGE01: MURDER CODE01: MURD LIT: MURDER TYP: F #: 001
OFFENSE DATE: 02/01/2002 AGENCY/OFFICER: 00030100

DATE WAR/CAP ISS: DATE ARRESTED: 02/11/2002
DATE INDICTED: 11/08/2002 DATE FILED: 11/15/2002
DATE RELEASED: DATE HEARING:
BOND AMOUNT: \$500,000.00 SURETIES:

DATE 1: DESC: TIME: 0000
DATE 2: 11/21/2002 DESC: ARRG TIME: 0830 A

TRACKING NOS: GJ 2002 110241 00 /

DEF/ATY: Hartley Hartley TYPE: A
00000

TYPE:
July 21
00000 May 14
→ March 10
Jan 3

PROSECUTOR: W. Powell

GTH CSE: GJ200211024100 CHK/TICKET NO: GRAND JURY: 241
COURT REPORTER: SID NO: 001342224 OPER: REG
DEF STATUS: JAIL DEMAND:

ACTIONS, JUDGEMENTS, AND NOTES

11-21-02 Hartley, app'td
DEFENDANT REMAINED IN OPEN
COURT, PLEADS NOT GUILTY.

SMG

1-13-03 By Agreement of the parties case
continued to give A an opportunity
to locate other witnesses

TMB

12-16-02 Notice of Discovery

2-28-03 A appeared for Preliminary

3-5-03 Mr Hartley's Oral Motion To
Withdraw granted. A's Mother
informed the Court they are
retaining Mr Hamm. Case continued
to May 12, 2003 for Trial

ACR0349 ALABAMA JUDICIAL INFORMATION CENTER

CASE ACTION SUMMARY
CONTINUATIONCASE: CC 2002 001417.00
JUDGE ID: SMG

STATE OF ALABAMA

VS JOYCE DARRYL JEVON

DATE

ACTION, JUDGMENTS, CASE NOTES

5-8-03 ✓ It having been made known
to the Court that Mrs. Adams
has not been detained in
this matter, Mr. Hartley
is re-appointed and this matter
shall be set for trial

6/10/03 Second notice of Discovery

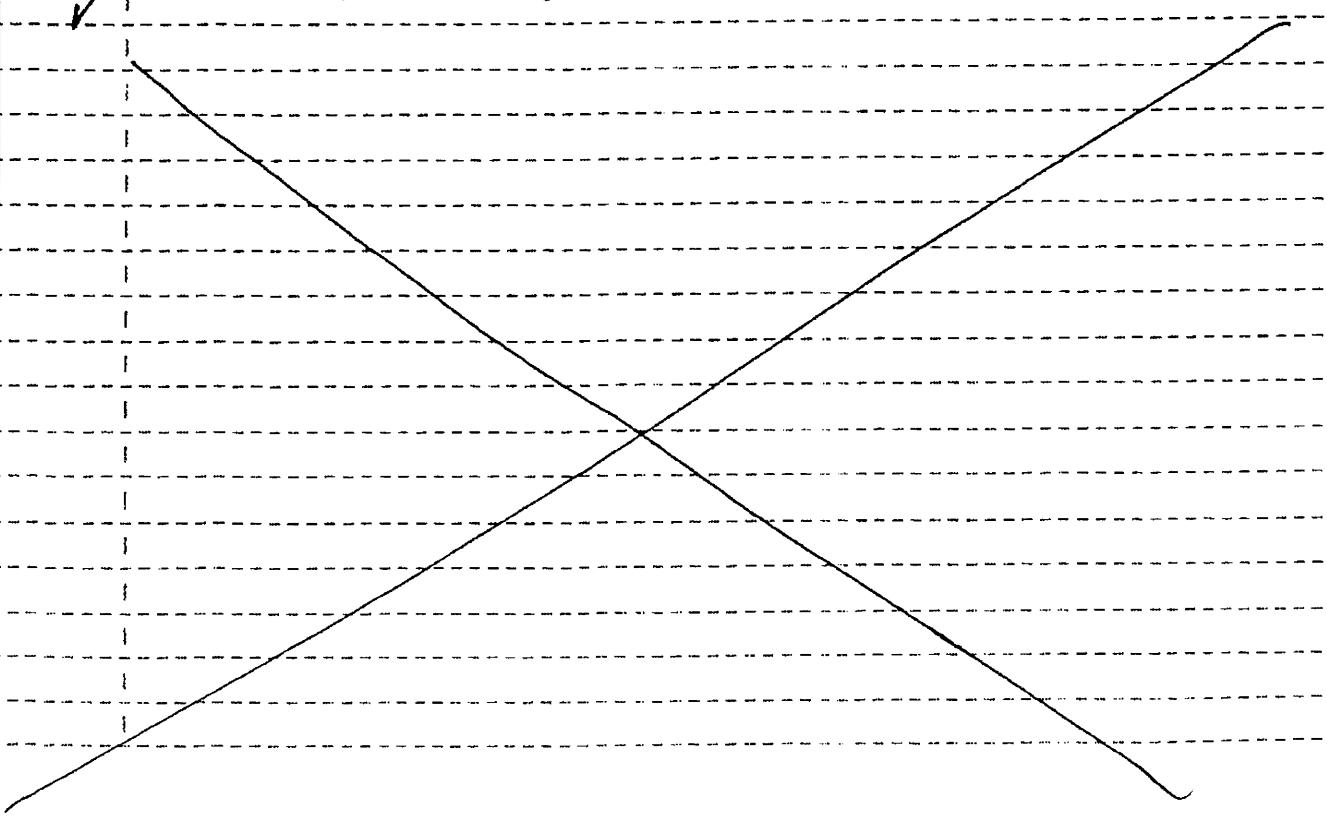
7-11-03 A appeared for pretrial

7-22-03

JUDGEMENT IS HEREBY ENTERED
IN ACCORDANCE WITH THEVERDICT OF THE JURY: Guilty of intentional Murder
State gives notice of 3 phases, Sentencing set

Circuit Judge

8-18-03 @ 8:30 am



CASE ACTION SUMMARY
CONTINUATION

CC-02-1417 TM

3

Form C-7

Rev 2/79

Style:

Darrel Joyce

Page Number _____ of _____ Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

3-18-03

Rec'd

16

Defendant & attorney appeared for sentencing. Court asked if he/she had anything to say why sentence should not now be pronounced and Defendant had his/her say.

HOA Enhancements Applicable Yes No
 Defendant Admits _____ State Proves 4 priors

IT IS ORDERED:

Sentenced to life without Parole ~~life~~ /split to serve _____ yrs.
 reverse split postpone _____ mo./year Review _____
 Concurrent _____ Consecutive _____

Suspended YES NO Supervised/P.O/Court Probation _____ years
 End of Split Sentence _____ years supervised probation
 DOC to give 60 day notice prior to E.O.S.

ENHANCEMENTS \$1000/2000 Enhancement Fine
 _____ Remit portion completion of SAP
 _____ Driver License suspended/revoked 6 mo/
 _____ \$100 DFS fee _____ \$100 Head Injury _____
 _____ years School/ _____ years Public Housing
 _____ years Sale under 18

Boot Camp _____ SAP _____ Review upon completion-YES GED _____
 Work Release _____ Community Service _____ hrs. Trash Pickup _____ hr
OTHER: D's Motion for Appeal Bond Denied
in accordance with the law

Restitution \$7651.50 Co-Defendant(s) _____
 Jointly and Severally liable Crime Victim \$25.00/\$50.00
 Court Costs Attorney Fees \$150.00 Fine \$ _____
 Payment \$ _____ Mo/Week Begin 7/03 or 1/2 monies earned _____

Review/Other _____

Defendant advised right to appeal yes/no unless reserve issue or withdraw plea; Defendant to be given credit for time served.
 Appeal Bond set \$ denied

D gives Oral Notice of Appeal

TRUMAN M. HOBBS, JR.
 CIRCUIT JUDGE

4

ACRO369 ALABAMA JUDICIAL INFORMATION CENTER

CASE ACTION SUMMARY
CONTINUATIONCASE: CC 2002 001417.00
JUDGE ID: TMH

STATE OF ALABAMA VS JOYCE DARPYL JEVON

DATE ACTION, JUDGMENTS, CASE NOTES

8/27/03 Cert. of Appeal To Crim. Appls., AG, RA, Court
Reporters & Def. Atty. (w) Forms

9-16-03 Motion To Withdraw & Request For
Counsel On Appeal

9-17-03 Order Granting Motion To Withdraw and
Aimee C. Smith appointed as def's Counsel

10/01/03 Form ARAP-1C filed

Case # 02-02623

AFFIDAVIT
DISTRICT COURT OF MONTGOMERY ALABAMA

*2002-701**DC02-701***5**

INSTRUCTIONS: Complete the following information on OFFENSE/OFFENDER.

Offense: MURDER*2002 MAR 1*D.O.B. 12/30/1977Defendant's Name: DARRYL JEVON JOYCE AKA "PONCHO"Defendant's SSN: 421-31-3693 Height: 5'11" Weight: 150lbDefendant's Address: 320 BITFORD WAY, MONTGOMERY, AL 36108Date & Time of Offense: 02/01/02 @ 2337 HRS.Place of Occurrence: 4000 BLOCK OF MARLYN ST., MONTGOMERY, AL 36108Person or Property Attacked: B/M, JAMES EDWARD FRIENDLYHow Attacked: SHOT VICTIM TO DEATH.

Damage Done or Property Attacked: _____

Value of Property: _____

Details of Offense:

On Friday, 02/01/02, at approximately 2337 hrs, the listed Defendant shot the listed Victim after a altercation occurred between the two subjects in the 4000 block of Marlyn St. The Victim died of his wounds at Jackson Hospital. Several witnesses identified the Defendant as the subject who shot the Victim.

This is in violation of 13A-6-2, State code of Alabama.

This offense occurred in the City of Montgomery, in Montgomery County, Alabama.

I make this affidavit for the purpose of securing a warrant against the said DARRYL JEVON JOYCE AKA "PONCHO". I understand that I am instituting a criminal proceeding and cannot drop this case. I further understand that if any of the forgoing facts are untrue, I may, in addition to any other punishment provided by law, be taxed with court costs in this proceeding.

Sworn to and subscribed before me
this 12 day of 2002.

CPL. E.E. Howton Jr. #404
Complainant

J. E. Howton Jr.
Judge - Clerk - Magistrate

WITNESSES: (Name, Address, Telephone Number)

- 1) CPL. E.E. HOWTON JR. #404/320 N. RIPLEY ST., MONTG., AL/241-4831
- 2) _____
- 3) _____

ACR064

6 5/500
 ALABAMA JUDICIAL DATA CENTER
 STATE COURT OF MONTGOMERY COUNTY
 TRANSCRIPT TO CIRCUIT COURT

CASE: DC 2002 000701.00
 JID: LUCIE MCLEMORE

THE STATE OF ALABAMA

VS JOYCE DARRYL JEVON
320 BITFORD WAY

MONTGOMERY AL 36108-0000

CHARGE: MURDER

7/500
 9/14/05
 10/510

11/24/1

PROSECUTOR:

DEF ATTY:
DEF ATTY:

WARRANT ISSUED AND DELIVERED TO SHERIFF.

03/10/2002 WARRANT EXECUTED BY ARRESTING THE DEFENDANT AND COMMITTING HIM TO JAIL (OR RELEASING HIM ON BOND).

BOND \$500,000.00 APPROVED AND FILED. SURETIES.

DEFENDANT TRIED, CONVICTED AND FINED 0.00 DOLLARS AND THE COST OF THE PROSECUTION.

ON PRELIMINARY EXAMINATION, DEFENDANT BOUND OVER TO AWAIT THE ACTION OF THE GRAND JURY AND BOND FIXED AT \$0.00.

DEFENDANT APPEALED TO THE PRESENT TERM OF THE CIRCUIT COURT AND BOND FIXED AT \$ -----.

BOND APPROVED AND FILED; SURETIES:

04/11/2002 NO PRELIMINARY REQUESTED, CASE TRANSFERRED TO D.A.
CASE LAFILE FWD

BILL OF COST

DOCKET FEE	0.00
PRELIMINARY HEARING	0.00
WITNESS SUBPOENA	0.00
TOTAL	0.00

APR 12 2002
 MELISSA RITTENOUR
 Circuit Clerk

CERTIFICATE TO TRANSCRIPT

TO THE CLERK AND THE CIRCUIT COURT:

I HEREBY CERTIFY THAT THE FOREGOING IS A FULL, COMPLETE AND EXACT TRANSCRIPT FROM MY DOCKET OF THE JUDGMENT AND PROCEEDINGS IN THE ABOVE CLAUSE, AND I HEREWITHE SEND TO THE CIRCUIT COURT ALL THE ORIGINAL AND OTHER PAPERS PERTAINING TO THE SAID CAUSE.

DATE ISSUED: 04/11/2002 MELISSA RITTENOUR BY-----
CLERK

NOTE:

WITNESS FOR STATE:

OPERATOR: MEH
REARED: 04/11/2002

C 02-1417 SMG

GI NO. 241

THE STATE OF ALABAMA

v.

DARRYL JEVON JOYCE, alias
320 Hifford Way, DOB: 12/30/77
Ht: 5'11; WT: 150; B/M

SID. NO. 01342224 ARREST DATE 02/11/02

FOR

MURDER

Clerk of the Circuit Court of Montgomery County

A TRUE BILL

Maria Butkus
Foreperson of Grand Jury

BAIL IN THIS CASE IS FIXED AT

\$ 500,000

Judge [Signature]
Judge of Circuit Court of Montgomery County

CC NO. _____

STEP 1901

Presented in open Court by the Foreperson of
WITNESSES

the Montgomery County Grand Jury in the pres-
ence of 16 other members of

the Grand Jury and filed this 8th day of

December, 02.

SEE ATTACHED.....

Maria Butkus

THE STATE OF ALABAMA

MONTGOMERY COUNTY

Circuit Court of Montgomery County, NOVEMBER Term. A.D. 2002

The Grand Jury of said County charge that, before the finding of this indictment,

DARRYL JEVON JOYCE, alias
DARRYL D. JOYCE, alias
DARRYL J. JOYCE, alias
DARRYL J. JOYCE, alias
DARRYL JENON JOYCE, alias
DARYL JOYCE, alias
DARREL JOYCE, alias
PUNCH O JOYCE, alias
PUNCH-O JOYCE, alias
PUNCHO JOYCE, alias
WILLIE FAULK, alias
WILLIE LOVE FAULK, alias
PONCHO,

whose name is otherwise unknown to the Grand Jury, did intentionally cause the death of another person, James Friendly, by shooting him with a gun, in violation of Section 13A-6-2 of the Code of Alabama,

against the peace and dignity of the State of Alabama.

Ellen Brooks
District Attorney, Fifteenth Judicial Circuit of Alabama

FIRST NAME	LAST NAME	ADDRESS	CITY	STATE	EMPLOYER	PAGE 11/07/02 09.25.00	EMPLOYER ADDRESS 02-MM-00226
1 Amy	Albright			MPD	DFS		
2 J. D.	Braswell			MPD	DFS		
3 Ben	Bristol			MPD	DFS		
35 K. T.	Burke			MPD	DFS		
4 C. S.	Butterbaugh			MPD	DFS		
5 K. L.	Byrd			MPD	DFS		
6 C. W.	Drew			MPD	DFS		
7 Darrol	Foggy			MPD	DFS		
8 M.	Gant			MPD	DFS		
9 J. W.	Giles			MPD	DFS		
10 D. M.	Grandison			MPD	DFS		
11 E.E.	Hall			MPD	DFS		
12 A.	Happney			MPD	DFS		
13 D. M.	Haynie			MPD	DFS		
14 B. J.	Hoffman			MPD	DFS		
15 Ebony	Howton			MPD	DFS		
16 G.	Jones			MPD	DFS		
17 T. N.	Judkins			MPD	DFS		
18 M. P.	Jurkofsky			MPD	DFS		
19 Brian	Mickey			MPD	DFS		
20 Johnny	Martino			MPD	DFS		
21 Sarawnee	McCaskill			MPD	DFS		
22 Katherine	McQueen			MPD	DFS		
23 P. J.	Myrick			MPD	DFS		
24 Officer	Naquin			MPD	DFS		
25 Eric	Osborne			MPD	DFS		
26 Bryant	Parish			MPD	DFS		
27 Gerald	Richard			MPD	DFS		
28 K. G.	Sampson			MPD	DFS		
29 J. M.	Seithai			MPD	DFS		
30 R.	Stewart			MPD	DFS		
31 Emily	Thomas	4003 A Marilyn St		MPD	DFS		
32 W. T.	Thomas	2819 3rd St.		MPD	DFS		
33 S. E.	Threat	2819 3rd St.		MPD	DFS		
34 E. E.	Townsend	312 Biford Way		MPD	DFS		
35 R.	Wallace			MPD	DFS		
36 Ward	Ward			MPD	DFS		
37 Wheeler	Wheeler			MPD	DFS		
38 Wilson	Wilson			MPD	DFS		
39 Wine	Wine			MPD	DFS		
40 Jermeica	Works	1408 4th Ave S.	Clanton, Al	MPD	DFS		

* * * * * END OF REPORT * * * * *

✓ D
IN THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT
MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA)
Plaintiff,)
)
v.) CC No. 02-1417-SMG
)
DARRYL JEVON JOYCE,)
Defendant.)

NOTICE OF DISCOVERY

COMES NOW the State of Alabama by and through its District Attorney for the Fifteenth Judicial Circuit, Eleanor I. Brooks, and gives notice of discovery to the defendant, notice of intent to use prior convictions, notice of intent to invoke sentencing enhancements, notice of intent to offer proof by a certificate of analysis, and motion for discovery by the State:

(X) 1. Pursuant to Rule 16.1, A.R.Cr.P., and as otherwise required by law, all available discovery has been provided or made available to the Defendant. Arrangements to inspect physical evidence may be made by contacting the undersigned.

The State of Alabama has furnished a copy of the discovery by sequentially Bates-numbered pages from 000001 thru 0000 771. (Pages 178, 181 - 183, & 202 have not been provided as they are either work product and/or NCIC, which cannot be provided pursuant to state law, unless ordered by the Court). The State of Alabama considers this discovery material to have been received in its entirety by Defense Counsel unless promptly notified in writing of any discrepancies.

(X) 2. The State of Alabama intends to use at trial any and all prior convictions, crimes, wrongs, or acts of the Defendant permitted by Rules 404(b) and 609 of the Alabama Rules of Evidence, and as otherwise allowed by law. The State of Alabama is presently aware of, and intends to use, the following:

Disc. Govt Occ. JET 94-2506-SMG
ASSAULT II CC-96-1980-SMG
ASSAULT II CC-97-1984-SMG
ASSAULT II CC-97-1985-SMG
ASSAULT III CC-97-2053-SMG
ASSAULT III CC-97-2031-SMG

FEB 11 2006
FIFTEENTH JUDICIAL CIRCUIT
COURT CLERK'S OFFICE

State of Alabama v Darryl Joyce
Motion for Discovery
November 25, 2002
Page 2 of 3

3. The State of Alabama intends to invoke all sentencing enhancements required or permitted by law, including the Habitual Felony Offender Act, pursuant to §13A-5-9, Code of Alabama, 1975, based on any applicable felony convictions known or any which may subsequently be discovered and/or disclosed. And, if applicable, the following:

- Enhancement for use of firearm or deadly weapon. Minimum term of imprisonment of 20 years.
- Five Year enhancement for Sale of Drugs within three (3) miles of a school, §13A-12-250.
- Five Year Enhancement for Sale of Drugs within three (3) miles of housing project, §13A-12-281.
- \$1,000.00 Fine, §13A-12-281.
- \$2,000.00 Fine, §13A-12-281.
- Suspension of Driver's License, §13A-12-290.
- Five Year Enhancement for Possession of Firearm, §13A-12-231(13).

4. Pursuant to §§ 12-21-300 through 303, Code of Alabama, 1975, written notice is hereby given of the State's intent to offer proof by a certificate of analysis in lieu of direct testimony. The certificate of analysis is from the Alabama Department of Forensic Sciences and a copy is included in the discovery material.

5. Pursuant to Rules 16.2 and 16.4(c), A.R.Cr.P., and as otherwise required by law, the Defendant is to provide the State of Alabama, within seven (7) days, a copy of all discovery to which it is entitled.

Respectfully submitted this 10th day of November, 2002.
District Attorney

ELEANOR I. BROOKS
DISTRICT ATTORNEY

By: 
William I. Powell (POW56)
Deputy District Attorney

12

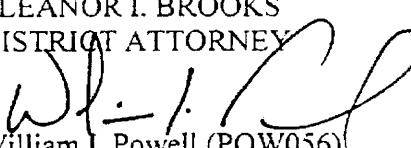
State of Alabama v Darryl Joyce
Motion for Discovery
November 25, 2002
Page 3 of 3

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the Honorable Wiley Hartley, Attorney for the Defendant, by hand delivery or by placing same in the appropriate Courthouse Box, or by posting in the United States mail, postage prepaid and properly addressed, on the November day of November, 2002.

December

ELEANOR I. BROOKS
DISTRICT ATTORNEY

By: 
William I. Powell (POW056)
Deputy District Attorney

Judge Greenhaw

02-1417

13

**MONTGOMERY COUNTY DETENTION FACILITY
INCIDENT REPORT**

REPORT#: 02-12-03-001

DATE OF REPORT: 2/12/03

TIME OF REPORT: 1226 hours

LOCATION: 4-North, cellblock D

TYPE OF INCIDENT: Inmates causing disturbance

TIME: 0710 hrs.

REPORTED BY: Orum

S. CO

LAST NAME FIRST NAME RANK ID#

INMATES INVOLVED IN INCIDENT

NAME (LAST, FIRST)	RACE SEX	BOOKING #	CELL	WITNESS/VICTIM OFFENDER (INDICATE ONE)
Johnson, Frankie	B M	66726	4-D-11	Offender
Joyce, Darlene	B M	65721	4-D-9	Offender
Cowart, Anthony	B M	7839	4-D-3	Offender
Langford, Joel	W M	80774	4-D-2	Offender

INJURY TO VICTIM

EXTENT OF VICTIM INJURY: MINOR SERIOUS FATAL

TYPE OF INJURY: Minor abrasion to left hand

VICTIM HOSPITALIZED: YES NO

IF "YES" WHAT HOSPITAL:

MEDICAL ACTION

DESCRIBE MEDICAL ACTION: Inmate Langford's hand was cleansed and neosporin was applied. The area was then bandaged.

DETAILS OF INCIDENT

DESCRIBE INCIDENT IN DETAIL (WHO, WHAT, WHERE, WHEN, HOW, WHY, AND ACTION TAKEN BY OFFICER)

February 12, 2003, at 0710 hours, Officer Orum (4-North control booth operator) observed inmates Johnson, Joyce and Cowart throwing water from their cells onto Inmate Langford. At that time Inmate Langford was out in the day room for his hour break. Inmate Langford then went upstairs to confront the inmates who were throwing water. Officer Orum dialed into the cellblock via the intercom and ordered Inmates Johnson, Joyce and Cowart to stop throwing water. Officer Orum then instructed Inmate Langford to come downstairs and lockdown, but to no avail. At 0711 hours Officer Orum phoned Booking and spoke with Sgt. Jackson concerning the aforementioned incident.

At 0713 hours Sergeants Sanderson, and Jackson, along with Officers Foster, Washington, and Roberson arrived and entered the vestibule. Sgt. Sanderson ordered Inmate Langford into the vestibule area. Inmate Langford complied with the order. After entering the vestibule area, Sgt. Jackson observed an abrasion on Inmate Langford's left hand. Sgt. Jackson questioned Inmate Langford as to how he received the injury. Inmate Langford stated that it happened when he was trying to wrestle a broom from Inmate Johnson. Sgt. Jackson, along with Officers Washington and Roberson, escorted Inmate Langford to the Medical Unit to be seen by the nurse. Nurse

RECEIVED

7-25-03

(Continued from first page) INCIDENT REPORT# 02-12-03-001

Boddie cleansed the abrasion with peroxide, applied a generous amount of neosporin to the wound, and bandaged the affected area. When questioned by Sgt. Jackson as to the nature of the incident, Inmate Langford stated that "he was tired of the Niggers in that cell keeping him up all night".

Sgt. Sanderson remained on 4-North, entered 4-D cellblock, and began questioning Inmates Johnson, Joyce and Cowart concerning the incident. The aforementioned inmates stated to Sgt. Sanderson that Inmate Langford repeatedly called them "Niggers". Sgt. Sanderson phoned Booking and informed Lt. Matthews of the incident. Sgt. Sanderson further stated that it was in Inmate Langford's best interest that he be relocated from 4-D. Lt. Matthews concurred with the decision. At 0735 hours Sgt. Jackson escorted Inmate Langford back to his cell to gather his belongings for relocation. Inmate Langford was relocated to 1-C-4 without further incident. No other inmates or officers were injured as a result of this incident.

Officer Orum is requesting that Inmates Johnson, Joyce, Cowart and Langford go before the disciplinary hearing clerk on the following violations:

- B-8 Attempting to control other inmates, whether through coercion, force, or threat
- C-16 Acting in a way that disrupts or interferes with security or orderly running of the Detention Facility (i.e. failure to lock-down/return to bunk, not returning issued razors at change-out or at release)

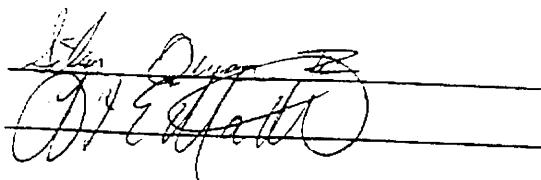
15

REPORT# 02/12/03/001

By signing below I concur with the content of the report.

Report prepared by:

Supervisor Signature:



Date: 2-12-03

Date: 2-12-03

By signing below I concur with the content of the report.

Responding Officers:

Off. Roberson

Date: 02/12/03

Sgt. Sonder

Date: 2-12-03

Sgt. Jacobs

Date: 2-12-03

Michael Foster

Date: 2-12-03

C. R. Washington

Date: 2-12-03

By signing below I concur with the content of the report.

Medical Staff:

Date: _____

Date: _____

Date: _____

16

State of Alabama
Unified Judicial System

Case Number

JURY VERDICT

Form C-50 Rev 6/88

CC-02-1417 TMH

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

Plaintiff: STATE OF ALABAMA v. Defendant: DARRYL J. JOYCE

✓ We the jury find the Defendant GUILTY of intentional
Murder as charged in the Indictment.

OR

 We the jury find the Defendant NOT GUILTY.

7-22-03

JUDGEMENT IS HEREBY ENTERED
IN ACCORDANCE WITH THE
VERDICT OF THE JURY.

Talorade J. Foreman

RECEIVED

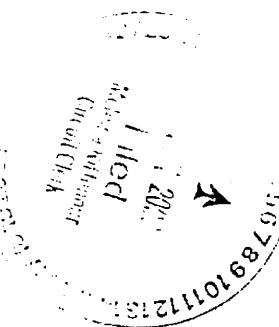
7-23-03
CIRCUIT CLERK

Talorade L. Foreman
Name of Foreperson (please print)
Talorade R. Foreman
Foreperson Signature

Date filed 07/22/03

IN THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT
MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA)	
Plaintiff,)	
)	
v.)	CC No. 02-1417-TMH
DARRYL JEVON JOYCE,)	
Defendant.)	



SECOND NOTICE OF DISCOVERY

COMES NOW the State of Alabama by and through its District Attorney for the Fifteenth Judicial Circuit, Eleanor I. Brooks, and gives notice of discovery to the defendant, notice of intent to use prior convictions, notice of intent to invoke sentencing enhancements, notice of intent to offer proof by a certificate of analysis, and motion for discovery by the State:

1. Pursuant to Rule 16.1, A.R.Cr.P., and as otherwise required by law, all available discovery has been provided or made available to the Defendant. Arrangements to inspect physical evidence may be made by contacting the undersigned.

The State of Alabama has furnished a copy of the discovery by sequentially Bates numbered pages from 000001 thru 0000271. (Pages 178, 181-183, 202) have not been provided as they are either work product and/or NCIC, or otherwise privileged and cannot be provided pursuant to state law, unless ordered by the Court). The State of Alabama considers this discovery material to have been received in its entirety by Defense Counsel unless promptly notified in writing of any discrepancies.

2. The State of Alabama intends to use at trial any and all prior convictions, crimes, wrongs, or acts of the Defendant permitted by Rules 404(b) and 609 of the Alabama Rules of Evidence, and as otherwise allowed by law. The State of Alabama is presently aware of, and intends to use, the following:

Disc Gun Occ Veh 94-2506 Smg _____

Assault II, CC 96-1980 Smg _____

Assault II, CC 97-1984 Smg _____

Assault II, CC 97-1985 Smg _____

Assault III, CC 97-2053 Smg _____

Assault III, CC 97-2031 - Smg _____

*NOTE: DUPLICATE DISCOVERY UPON RE-APPOINTMENT

State of Alabama v Daryl Joyce
Motion for Discovery
June 6, 2003
Page 2 of 3

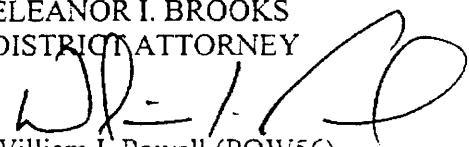
(X) 3. The State of Alabama intends to invoke all sentencing enhancements required or permitted by law, including the Habitual Felony Offender Act, pursuant to §13A-5-9, Code of Alabama, 1975, based on any applicable felony convictions known or any which may subsequently be discovered and/or disclosed. And, if applicable, the following:

- Enhancement for use of firearm or deadly weapon. Minimum term of imprisonment of 20 years.
- Five Year enhancement for Sale of Drugs within three (3) miles of a school, §13A-12-250.
- Five Year Enhancement for Sale of Drugs within three (3) miles of housing project, §13A-12-281.
- \$1,000.00 Fine, §13A-12-281.
- \$2,000.00 Fine, §13A-12-281.
- Suspension of Driver's License, §13A-12-290.
- Five Year Enhancement for Possession of Firearm, §13A-12-231(13).

(X) 4. Pursuant to §§ 12-21-300 through 303, Code of Alabama, 1975, written notice is hereby given of the State's intent to offer proof by a certificate of analysis in lieu of direct testimony. The certificate of analysis is from the Alabama Department of Forensic Sciences and a copy is included in the discovery material.

(X) 5. Pursuant to Rules 16.2 and 16.4(c), A.R.Cr.P., and as otherwise required by law, the Defendant is to provide the State of Alabama, within seven (7) days, a copy of all discovery to which it is entitled.

Respectfully submitted this 6th day of June, 2003.

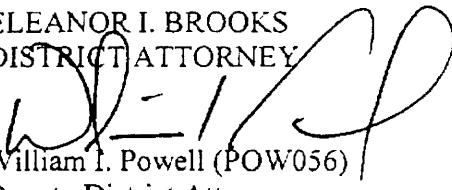
ELEANOR I. BROOKS
DISTRICT ATTORNEY

By: William I. Powell (POW56)
Deputy District Attorney

State of Alabama v. Daryl Joyce
Motion for Discovery
June 6, 2003
Page 3 of 3

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the Honorable Wiley Hartley, Attorney for the Defendant, by hand delivery or by placing same in the appropriate Courthouse Box, or by posting in the United States mail, postage prepaid and properly addressed, on the 6 day of June, 2003.

ELEANOR I. BROOKS
DISTRICT ATTORNEY

By: 
William I. Powell (POW056)
Deputy District Attorney

ACSDG70

ALABAMA JUDICIAL INFORMATION SYSTEM

CASE: CC 97 001965.00

OPER: JAG

SE ACTION SUMMARY

RUN DATE: 03/12/2007

PAGE: 1

CIRCUIT

CRIMINAL

JUDGE: SMD

IN THE CIRCUIT COURT OF MONTGOMERY

STATE OF ALABAMA

DE: CC 97 001965.00

VS JOYCE DARRYL JEVON

MONTGOMERY, AL 36103 0000

20

DOB: 12/30/77 SEX: M RACE: B HT: 6'01 WT: 155 HR: EYES:

SSN: 421313693 ALIAS NAMES:

CHARGE 1: ASSAULT 2ND DEGREE CODE 1: AS92 LIT: ASSAULT 2ND DEC TYP: F
MORE? OFFENSE DATE: 06/02/97 AGENCY/OFFICER: MMFD HILLDATE WAR/CAF ISS: DATE ARRESTED: 07/09/97
DATE INDICTED: 09/12/97 DATE FILED: 07/17/97
DATE RELEASED: 07/09/97 DATE HEARING:
BOND AMOUNT: \$10,000.00 SURETIES: INDIVIDUALDATE 1: DESC: TIME: 0000
DATE 2: 09/25/97 DESC: ATTY TIME: 1000 ADEF/ATY: TYPE:
PROSECUTOR: BOONE, CAROL JOTH CSE: 9700388900 CHK/TICKET NO: GRAND JURY: 262
COURT REPORTER: SID NO: 01342224

DEF STATUS: BOND DEMAND: OPER: AAG

DATE ACTIONS, JUDGEMENTS, AND NOTES Jan 14 ✓ 1/19

9-29-97 ~~Order Motion For Consolidation of Cases~~9-30-97 ~~Order For Consolidation of Cases~~11-19-97 ~~Continued, no medical records.~~

RECEIVED

8-19-03
RAJESH RAHAT PLEK

State of Alabama
Unified Judicial System
Form C-7 Rev 2/79

CASE ACTION SUMMARY CONTINUATION

Case Number 21

CC-9 9-1985 GR

Style: STATE OF ALABAMA VS. Debra J. Taylor

Page Number _____ of _____ Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

1/22/98

Y.O.A GRANTED / DENIED

1/22/98

State's Motion/Nolle Prossse Count(s) _____ Granted

1/22/98

State's Motion To Dismiss Count(s) _____ Granted

1/22/98

State's Motion To Amend Count _____ to _____ Granted

1/22/98

The Defendant is before the Court and is represented. The Court on record fully explained all Constitutional rights. The Court is convinced that Defendant comes into court voluntarily and understands all his rights. Exhibit A is signed by Defendant and counsel and the record affirmatively shows colloquy between the Judge and Defendant and that Defendant fully and completely understands he is waiving his Constitutional rights and other effects of a guilty plea and the consequences thereof and the sentence that could be imposed. Upon the conclusion of said colloquy the Court accepts the guilty plea and finds Defendant guilty and enters a judgment of guilt to the charge of

Assault II

Notice of HOA/Drug/Weapon Enhancements given 2 prior

P.S.I. ORDERED / WAIVED

Sentencing date is 1/22/98 at 8:00 a.m.

SALLY GREENHAW, CIRCUIT JUDGE

22

State of Alabama
Unified Judicial System

MC-7

Rev 2/79

CASE ACTION SUMMARY
CONTINUATION

Case Number

CC-9 7-1985

Style:

STATE OF ALABAMA V. Daryl Soule

Page Number _____ of _____ Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

1/10/98

Defendant & attorney appeared for sentencing.
 Court asked if he/she had anything to say why
 sentence should not now be pronounced and
 Defendant having his/her say, it is ORDERED:

HOA Enhancements Applicable Yes / No
 Defendant Admits ✓ State Proves 2 Priors

Sentenced to 15 yrs./split to serve 3 yrs.
reverse split postpone review
 Concurrent 97-1984 Consecutive to any other
Cases

SUSPENDED YES/NO SUPERVISED/COURT PROBATION
years LEVEL II Monitor

ENHANCEMENTS - Weapons years

Drug - years School/Public Housing
years Sale under 18
\$1000/2000 Fine
Remit portion completion SAP
Driver License suspended 6 mo.

GED years BootCamp /SAP /Chain Gang
Work Release Frank Lee /Employment
Community Service hrs.at /PO Select
Review upon completion - Yes

No contact w/ V's
Other - Anger Management
Reserve jurisdiction over defendant over defendant
Restitution \$1,400.00 Fine \$to run sentence
Crime Victim \$25.00 / \$50.00 / \$1 Ct.Costs concurrent
Attorneys Fees \$150.00 Attorney/GAL Fees w/ older
Payment \$Mo/Wk Begin 1/1/98 OR cases
1/2 monies earned ✓ Review review

Defendant advised rt. appeal, credit time served
Appeal Bd. set \$. JUDGE SALLY GREENHAW

SMG

State of Alabama
Unified Judicial System

Form C-7

Rev 2/79

CASE ACTION SUMMARY
CONTINUATION

cc 97-1985 GR

Style:

State v _____

Page Number _____ of _____ Pages.

DATE

ACTIONS, JUDGMENTS, CASE NOTES

1-4-02

△ E.O.S.

DEFENDANT APPEARED FOR REVIEW.
COPY OF ORDER TO APPEAR ON
3/11/02 GIVEN TO DEFENDANT
IN OPEN COURT.

830

SMG

SALLY GREENHAW, CIRCUIT JUDGE

3-11-02

DEFENDANT FIA FOR Review-failed to pay. Cells
ISSUE W.O.A. + charged with new offense

SMG

3-25-02 (Capias) issued

4-19-02 (Copies executed) file sent to Judges Office

State of Alabama Unified Judicial System Form C-7 Rev 2/79		CASE ACTION SUMMARY CONTINUATION		Case Number cc 97-1985
Style: STATE OF ALABAMA v. <u>Darryl Joyce</u>		Page Number _____ of _____ Pages		
DATE	ACTIONS, JUDGMENTS, CASE NOTES			
4/29/02	<p>Delinquency report filed by the Court and based on the record Defendant is declared delinquent and is for:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Failure to report <input checked="" type="checkbox"/> Failure to pay court ordered monies <input type="checkbox"/> Failure to pay supervision fees <input checked="" type="checkbox"/> Arrested on new charges <input type="checkbox"/> Failure to avoid injurious habits <input type="checkbox"/> Changing residences without permission <input checked="" type="checkbox"/> Failure to comply with Court orders - <i>Appear for Review</i> <input type="checkbox"/> Failure to attend and/or complete program <p><i>on 3-11-02</i></p> <p style="text-align: center;"><u>SMG</u></p> <p>JUDGE SALLY GREENHAW</p> <p>4-29-02 A shall remain in Delinquent state pending outcome of new charges</p> <p style="text-align: center;"><u>SMG</u></p>			

**State of Alabama
Unified Judicial System**

**CASE ACTION SUMMARY
CONTINUATION**

Case Number
CC-9 7-1984 GR

Style: STATE OF ALABAMA VS.

Darryl Joyce

Page Number _____ of _____ Pages

DATE	ACTIONS, JUDGMENTS, CASE NOTES
1/22/98	Y.O.A GRANTED / DENIED <u>N</u>
1/ / 98	State's Motion/Nolle Prossse Count(s) _____ Granted
1/ / 98	State's Motion To Dismiss Count(s) _____ Granted
1/ / 98	State's Motion To Amend Count _____ to _____ Granted
1/22/98	<p>The Defendant is before the Court and is represented. The Court on record fully explained all Constitutional rights. The Court is convinced that Defendant comes into court voluntarily and understands all his rights. Exhibit A is signed by Defendant and counsel and the record affirmatively shows colloquy between the Judge and Defendant and that Defendant fully and completely understands he is waiving his Constitutional rights and other effects of a guilty plea and the consequences thereof and the sentence that could be imposed. Upon the conclusion of said colloquy the Court accepts the guilty plea and finds Defendant guilty and enters a judgment of guilt to the charge of <u>Assault II</u></p>
	Notice of <u>HOA/Drug/Weapon</u> Enhancements given <u>2 plus</u>
	P.S.I. ORDERED / <u>WAIVED</u>
	Sentencing date is _____ 1998 at 8:00 a.m.
	<i>JMC</i> SALLY GREENHAW, CIRCUIT JUDGE

27

State of Alabama Unified Judicial System Form C-7 Rev 2/79	CASE ACTION SUMMARY CONTINUATION	Case Number CC-9 <u>7-1984</u>
--	-------------------------------------	-----------------------------------

Style:

STATE OF ALABAMA V. Daryl Joyce

Page Number _____ of _____ Pages

DATE	ACTIONS, JUDGMENTS, CASE NOTES
<u>1/22/98</u>	<p>Defendant & attorney appeared for sentencing. Court asked if he/she had anything to say why sentence should not now be pronounced and Defendant having his/her say, it is ORDERED:</p> <p>HOA Enhancements Applicable <u>Yes</u> No Defendant Admits <u>✓</u> State Proves <u>2</u> Priors <u>7-1980</u> <u>T-80</u></p> <p>Sentenced to <u>15</u> yrs./split to serve <u>3</u> yrs. reverse split postpone review Concurrent <u>97-1985</u> Consecutive <u>✓ to any</u> with concurrent other cases</p> <p>SUSPENDED YES/NO SUPERVISED/COURT PROBATION <u>years</u> LEVEL II <u>Monitor</u></p> <p>ENHANCEMENTS - Weapons <u>years</u> Drug - <u>years</u> School/Public Housing <u>years</u> Sale under 18 \$1000/2000 Fine Remit portion completion SAP Driver License suspended 6 mo.</p> <p>GED <u>BootCamp</u> /SAP <u>/Chain Gang</u> Work Release <u>Frank Lee</u> /Employment Community Service <u>hrs.at</u> /PO Select Review upon completion - Yes No contact w/<u>V</u></p> <p>Other - <u>Amber Management</u> Reserve jurisdiction over restitution Restitution \$ <u>12,964.00</u> Fine \$ <u>to run sentence</u> Crime Victim \$ <u>25.00</u> / <u>\$50.00</u> Ct. Costs concurrent Attorneys Fees \$ <u>150.00</u> Attorney/GAL Fees <u>w/older cases</u> Payment \$ <u>Mo/Wk</u> Begin <u>1/1/98</u> OR 1/2 monies earned <u>✓ Review</u></p> <p>Defendant advised rt. appeal, credit time served Appeal Bd. set \$ <u> </u>. JUDGE SALLY GREENHAW SMG</p>

State of Alabama
Unified Judicial System
JFM C-7 Rev 2/79

CASE ACTION SUMMARY
CONTINUATION

Case No. cc 97-1984 CR.

Style: State v. Daryl Joyce Page Number _____ of _____ Pages

DATE ACTIONS, JUDGMENTS, CASE NOTES

1-4-02 205 in this matter
DEFENDANT APPEARED FOR REVIEW.
COPY OF ORDER TO APPEAR ON
3/11/02 GIVEN TO DEFENDANT 830
IN OPEN COURT.

SMG
SALLY GREENHAW, CIRCUIT JUDGE

3-11-02 DEFENDANT FTA FOR Review, failed to pay COMS
ISSUE W.O.A. + charged with new
smg offense

~3-25-02 Capias issued

4-19-02 (Copias executed file sent to Judge's Office)

State of Alabama
Unified Judicial System
Form C-7 Rev 2/79

CASE ACTION SUMMARY CONTINUATION

Style:

STATE OF ALABAMA v.

Darrel Joyce

Page Number _____ of _____ Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

4/29/02

Delinquency report filed by the Court and based on the record Defendant is declared delinquent and _____ for.

- Failure to report
 - Failure to pay court ordered monies
 - Failure to pay supervision fees
 - Arrested on new charges
 - Failure to avoid injurious habits
 - Changing residences without permission
 - Failure to comply with Court orders - Appear for Review
 - Failure to attend and/or complete program
- on 3-11-02

SMG

JUDGE SALLY GREENHAW

4-29-02

A shall remain in Delinquent stat pending outcome of new charges

SMG

30

ACSO370 ALABAMA JUDICIAL INFORMATION CENTER

CASE ACTION SUMMARY
CIRCUIT CRIMINAL

CASE: CC 96 001980.00

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY
STATE OF ALABAMAVS JOYCE DARRYL JEVON
320 BITFORD WAY

JUDGE: SMC

CASE: CC 96 001980.00

MONTGOMERY, AL 36108 0000

DOB: 12/30/77 RACE: B SEX: M
SSN: 421313693 ALIAS NAMES:

HT: 5'00 WT: 150 HR: EYC

CHARGE1: ASSAULT 2ND DEGREE

CODE1: ASS2 LIT: ASSAULT 2ND DEG TYPE: F

CHARGE2:

CODE2: TYPE:

CHARGE3:

CODE3: TYPE:

MORE?: OFFENSE DATE: 07/22/96 AGENCY/OFFICER: MMPD CUNNING

DATE WAR/CAP ISS:

DATE ARRESTED: 08/02/96

DATE INDICTED: 09/13/96

DATE FILED: 10/02/96

DATE RELEASED:

DATE HEARING:

BOND AMOUNT: \$10,000.00

SURETIES:

DATE 1: DESC:

TIME: 0000

DATE 2: 10/24/96 DESC: ATTY

TIME: 1000 A

DEF/ATY:

Winston Durant W. Hartley A

TYPE:

PROSECUTOR:

OTH CSE: 9600368400

CHK/TICKET NO:

GRAND JURY: EG

COURT REPORTER

SID NO: 01342224

OPID: RE

DEF STATUS: JAIL

DEMAND:

Feb 26

DATE

ACTION, JUDGMENTS, CASE NOTES

10-2-96 : X DEF IN JAIL 10/11/96

: X NEED 72 HR HEARING
PURSUANT TO RULE 4.4

10-4-96 :

DEFENDANT APPEARED IN OPEN COURT IN ACCORDANCE
WITH RULE 4.3(a)(5)(A) & C.R.P. THE COURT ADVISED THE
DEFENDANT OF THE CHARGES AGAINST HIM/HER, INFORMED
DEFENDANT OF ALL MATTERS REQUIRED BY RULE 4.4, AND
DETERMINED CONDITIONS OF RELEASE AS REQUIRED BY
RULE 7.3 AND 1963 ALA. ACTS 677.

Appoint W. Durant

EMC

SALLY GREENHAW, CIRCUIT JUDGE

10-24-96 W. Hartley Retained appointed

2-26-97 Case continued to 3-3-97. See

RECEIVED

8-19-03

CLERK'S OFFICE - CLERK

CASE ACTION SUMMARY
CONTINUATIONCase Number 31CC 9 6-1580
IC 10 NumberSTATE VS. Daryl Joyce

Page Number _____

DATE _____

ACTIONS

<u>31</u>	<u>4</u>	<u>1967</u>	V.O.A. GRANTED <u>N</u> <u>RENTED</u> <u>20110</u>
<u>1</u>	<u>4</u>	<u>1967</u>	State's Motion to Amend Count

<u>31</u>	<u>4</u>	<u>1967</u>	The Defendant comes before the Court with counsel of record court on the record, fully explained to Defendant all Constitutional rights. The court is convinced that defendant comes into the Court voluntarily and understands all Constitutional rights. Exhibit A is signed by Defendant and the record affirmatively shows colloquy between the Judge and Defendant as to Defendant's full and complete understanding as to Constitutional rights and as to all the waivers that a guilty plea effects and the consequences thereof. Upon the conclusion of said colloquy the Court accepts the guilty plea and finds the Defendant guilty and enters a judgment of guilty to the charge of <u>Assault II</u>
-----------	----------	-------------	---

Notice of ECA/Drug Enhancements given

P.S.I. ORDERED/MAILEDSentencing date is 3/17/1967SAC

SALLY GREENEAW, CIRCUIT JUDGE

32

State of Alabama
Supreme Court
Dept of Court Mgmt.
Form SC-C-711.7

CASE ACTION SUMMARY
CONTINUATION

Case Number

CC 96-1987-
ID 74 None*Daryl Joyce*

Page Number

DATE

ACTIONS

3-7-97 Defendant appeared with attorney for sentencing. Court having asked if he/she had anything to say as to why sentence should not now be pronounced and Defendant having his/her say, it is ORDERED:

Plea Agreement -

7-10-97 Sentenced to 10 years/split to serve 3 years suspended reverse split postpone review

Concurrent /Consecutive ✓ 94-2506
PROBATION/SUPERVISED 5 years/months/Court
Level I Month

*cont
no.*

Enhancement: *NO* Defendant Admits *None* rejoin
State Proved Priors

Weapons years
Drug - years School/Public Housing
years sale under 18

\$ Fine

YES Renit portion upon completion SAP

YES Driver's License suspended if no

BootCamp /SAP /Chain Gang /Work Release
Frank Tax /Other Review upon completion Yes/No

See X Employment Community service 50 hours
Other Amer. Management Program & ordered to avoid all
restrictions to Other Credit with teachers
Fine \$750

Crime Victim \$25.00/\$50.00/\$

Court Costs to be determined by Clerk ✓

Attorneys Fees \$150.00/To Be Submitted - GAL Fees ✓

Payment \$50 week beginning *Notifying*
1/2 monies earned

Defendant advised of right to appeal, credit to be given as allowed by law for time served. Appeal Bond set \$.

SALLY GREENHAW, JUDGE

SMG

7-12-97

7-20-97

To remain on probation on this case, split sentence imposed in 94-2506 SMC

4-02 | I appeared EOS in other matters
| Review 3-11-02 @ 830

State of Alabama
Unified Judicial System
Form C-7 Rev 2/79

CASE ACTION SUMMARY
CONTINUATION

Case Number

cc 96-1980

GR

Style: STATE OF ALABAMA vs.

Darryl Hayes

Page Number _____ of _____ Pages

DATE

ACTIONS, JUDGMENTS, CASE NOTES

3-11-02

DEFENDANT FTA FOR
ISSUE W.O.A.

Review, pay com + charged
with new offense

smc

3-25-02 Capias issued

4-19-02 Capias executed. File sent to Judge's Office

State of Alabama Unified Judicial System Form C-7 Rev 2/79		CASE ACTION SUMMARY CONTINUATION	Case Number cc 96-1980				
<p>Style: STATE OF ALABAMA v. <u>Darryl Joyce</u> Page Number _____ of _____ Pages</p> <table border="1"> <thead> <tr> <th>DATE</th> <th>ACTIONS, JUDGMENTS, CASE NOTES</th> </tr> </thead> <tbody> <tr> <td>4/29/02</td> <td> <p>Delinquency report filed by the Court and based on the record Defendant is declared delinquent and held for.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Failure to report <input checked="" type="checkbox"/> Failure to pay court ordered monies <input checked="" type="checkbox"/> Failure to pay supervision fees <input checked="" type="checkbox"/> Arrested on new charges <input type="checkbox"/> Failure to avoid injurious habits <input type="checkbox"/> Changing residences without permission <input checked="" type="checkbox"/> Failure to comply with Court orders - <i>Appeal for Review</i> <input type="checkbox"/> Failure to attend and/or complete program <p><i>on 3-11-02</i></p> <p style="text-align: center;"><i>SMG</i></p> <p>JUDGE SALLY GREENHAW</p> <p>4-29-02 A shall remain in Delinquent stat pending outcome of new charges</p> <p style="text-align: center;"><i>SMG</i></p> </td> </tr> </tbody> </table>				DATE	ACTIONS, JUDGMENTS, CASE NOTES	4/29/02	<p>Delinquency report filed by the Court and based on the record Defendant is declared delinquent and held for.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Failure to report <input checked="" type="checkbox"/> Failure to pay court ordered monies <input checked="" type="checkbox"/> Failure to pay supervision fees <input checked="" type="checkbox"/> Arrested on new charges <input type="checkbox"/> Failure to avoid injurious habits <input type="checkbox"/> Changing residences without permission <input checked="" type="checkbox"/> Failure to comply with Court orders - <i>Appeal for Review</i> <input type="checkbox"/> Failure to attend and/or complete program <p><i>on 3-11-02</i></p> <p style="text-align: center;"><i>SMG</i></p> <p>JUDGE SALLY GREENHAW</p> <p>4-29-02 A shall remain in Delinquent stat pending outcome of new charges</p> <p style="text-align: center;"><i>SMG</i></p>
DATE	ACTIONS, JUDGMENTS, CASE NOTES						
4/29/02	<p>Delinquency report filed by the Court and based on the record Defendant is declared delinquent and held for.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Failure to report <input checked="" type="checkbox"/> Failure to pay court ordered monies <input checked="" type="checkbox"/> Failure to pay supervision fees <input checked="" type="checkbox"/> Arrested on new charges <input type="checkbox"/> Failure to avoid injurious habits <input type="checkbox"/> Changing residences without permission <input checked="" type="checkbox"/> Failure to comply with Court orders - <i>Appeal for Review</i> <input type="checkbox"/> Failure to attend and/or complete program <p><i>on 3-11-02</i></p> <p style="text-align: center;"><i>SMG</i></p> <p>JUDGE SALLY GREENHAW</p> <p>4-29-02 A shall remain in Delinquent stat pending outcome of new charges</p> <p style="text-align: center;"><i>SMG</i></p>						

35

CASE ACTION SUMMARY
CIRCUIT CRIMINAL

CASE: CC 94 002506 00

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY JUDGE: JGP
 STATE OF ALABAMA VS JOYCE DARRYL
 CASE: CC 94 002506 00 MONTGOMERY AL 36105-0000

DOB: 12/30/77 RACE: B SEX: M HT: 510 WT: 145 HR: BLK EYE BRD
 SSN: 421313693 ALIAS NAMES:

CHARGE1: DISCHARGE GUN OCC BLDG/VEHICLE CODE1: DSF1 LIT: DISCHARGE GUN OCTYPE: F
 CHARGE2: CODE2: 0000 TYPE: F
 CHARGE3: CODE3: 0000 TYPE: F
 MORE?: OFFENSE DATE: 10/20/94 AGENCY/OFFICER: AL0030000

DATE WAR/CAP ISS: / / DATE ARRESTED: 10/21/94
 DATE INDICTED: 12/02/94 DATE FILED: 12/07/94
 DATE RELEASED: 10/21/94 DATE HEARING:
 BOND AMOUNT: \$7,500.00 SURETIES: INDIVIDUAL

DATE 1: DESC: 0000 TIME: 0000
 DATE 2: 12/14/94 DESC: ARRG TIME: 0000

DEF/ATY: Winston Durant TYPE: A
 PROSECUTOR: CLANZER DAVID K. H. Wilson

OTH CSE: 9400432400 CHK/TICKET NO: GRAND JURY: 87
 COURT REPORTER SID NO: 0000000000 OPID: TIH
 DEF STATUS: BOND JURY DEMAND:

DATE ACTIONS, JUDGMENTS, CASE NOTES

July 24 1995
 June 12

12-14-94: w/s

12-14-94: App 40A

5-30-95: Motion for Consolidation of Cases

6-6-95: " " " " " granted SMG

6-12-95: Defendant FTA for Trial, F+C

Sally Greenhaw

JUDGE SALLY GREENHAW

6-15-95: Writ Pending Motion to Consolidate

6-22-95: (Copies) issued ex. 7-3-95 file to Quidy

7-6-95: F+C set aside SMG

7-24-95: Application for 40B

7-24-95: Defendant comes before the court with his attorney of record. The Court on the record, fully explained to Defendant all Constitutional rights. The court is convinced that Defendant comes into the Court voluntarily and understands all Constitutional rights. Exhibit A is signed by Defendant and the record affirmatively shows colloquy between the Judge and Defendant as to Defendant's full and complete understanding as to Constitutional rights and as to all of the waivers that a guilty plea effects and the consequences thereof. Upon the conclusion of said colloquy the Court accepts the guilty plea and finds the Defendant guilty and enters a judgment of guilty.

Sentencing date Ag 8-3-95

P.LX P.S.I. ORDERED

Discharging a Gun into
Occupied Vehicle

SMG

SALLY GREENHAW,
CIRCUIT JUDGE

8-19-03
CLERK

36

State of Alabama
Supreme Court
Dept. of Court Mgmt.
Form SC-C-7 11-77

CASE ACTION SUMMARY CONTINUATION

Case Number

CC-94-2506

ID # Number

DARRYL JOYCE

Page Number

DATE	ACTIONS
8/3/95	<p>The Court having examined the defendant and considered the report of investigation of the defendant as required by the Code §15-19-1 (1975); it is ORDERED that the defendant's request to be tried as a juvenile offender is DENIED.</p> <p style="text-align: right;"><i>Sally Greenhaw</i></p>
	<p>SALLY GREENHAW, CIRCUIT JUDGE</p>
8/3/95	<p>Defendant appeared with attorney of record for sentencing. The Court having asked the Defendant if he had anything to say as to why the sentence of law should not now be pronounced upon him and Defendant having his say it is ORDERED:</p> <p>1. Defendant sentenced to 10 years split, to serve 2 years at DOC, the first 180 days of which will be served at Boot Camp and placed on 5 years supervised probation following incarceration.</p> <p>To be reviewed upon successful completion of Boot Camp.</p> <p>2. Pay court costs.</p> <p>3. Reimburse the State \$150.00 attorney fees.</p> <p>4. Pay \$50.00 CVCF.</p> <p>5. Restitution - remain open at this time.</p> <p>Advised of right to appeal.</p> <p style="text-align: right;"><i>Sally Greenhaw</i></p>
	<p>SALLY GREENHAW, CIRCUIT JUDGE</p>
1/4/96	<p>Defendant and counsel of record appeared for Review Hearing following successful completion of Boot Camp. On recommendation of PO it is ORDERED:</p> <p>1. Sentence suspended and placed on probation the first portion of which is to be served on the Level I Monitor Probation.</p> <p>2. Enroll in GED program and obtain diploma.</p> <p>3. Seek and maintain employment.</p> <p>4. Perform 100 hours of community service.</p> <p>5. Pay \$25.00 per month beginning 3/1/96 toward COMs.</p> <p style="text-align: right;"><i>Sally Greenhaw</i></p>
1-8-96	<p><i>Probation Release Notice to Doc</i></p>

CASE ACTION SUMMARY
CONTINUATION

37

Case Number

CC 94 250
10 18

Page Number

DATE

ACTIONS

10-31-96 Delinquency report filed by P.O. Officer and based on testimony of P.O. Officer Defendant declared delinquent and ARREST ORDERED for:

- 1. Failure to report
- 2. Failure to pay court order monies
- 3. Failure to pay supervision fees
- 4. Arrested on new charges
- 5. Failure to avoid injurious habits
- 6.
- 7.
- 8.

Defendant appeared with attorney and was orally informed of the delinquency charges and also provided with a written statement of the charges, the disclosure of the evidence, the opportunity to be heard, to present witnesses and documentary evidence, to confront and cross-examine witnesses. Defendant ADMITTED charges, or Defendant DENIED charges and a revocation hearing is set for .

JUDGE SALLY GREENHAW

10-31-96

A to remain in delinquent status p

3-9-97

A's probation is reinstated & A is released. smc

CASE ACTION SUMMARY		PAGE 30 OF 35 PAGES	
CRIMINAL		JUDGE EMS	
THE CIRCUIT COURT OF MONTGOMERY COUNTY			
STATE OF ALABAMA	VS	JOYCE DARRYL	
JABEN CC 95 000132 00		620 BITFORD WAY DRIVE	
		MONTGOMERY	AL 36106-1000
DOB: 12/30/71 RACE: B SEX: M HT: 5'10 WT: 145 HF: EYE			
DRIVER'S LICENSE #21312693 ALIAS NAMES:			
OFFENSE: DISCHARGE GUN OCC BLDG/VEHICLE CODE: DSF1 LIT: DISCHARGE GUN CITY: MONTGOMERY			
CODE2: 0000			
CODE3: 0000			
OFFENDER: OFFENSE DATE: 11/07/94 AGENCY/OFFICER: MOB6			
DATE WAR/CAP ISS: / / DATE ARRESTED: 11/23/94			
DA INDICTED: 01/13/95 DATE FILED: 01/18/95			
DA RELEASED: 11/23/94 DATE HEARING: / /			
DA BOND AMOUNT: \$5,000.00 SURETIES: INDIVIDUAL			
DA IN 1: DESC: 0000 TIME: 0000			
DA IN 2: 01725795 DESC: ARRG TIME: 0830 A			
DEF ATTY: Wiley Hartley TYPE: /			
PROSECUTOR: Hilton Weston Durant			
COURT REPORTER: CSE: 9400476400 CHK/TICKET NO: GRAND JURY: B10			
DEF STATUS: BOND SID NO: OPID: FAB			

DATE ACTIONS, JUDGMENTS, CASE NOTES

July 24 April 12
Greene

- 1-25-95 W/14 filed
- 5-30-95 Motion for Consolidation of Cases
- 6-6-95 " " " granted (Sally Greenaw)
- 6-12-95 Defendant FIT for Trial; F+C
Sally Greenaw
- 6-22-95 Copies issued Ex. 7-395 file sent to Judge
- 7-6-95 F+C set aside ame
- 7-24-95 State's Oral motion to Nolle Pross Ordered
✓ Granted

JUDGE SALLY GREENAW

Sally Greenaw

JUDGE SALLY GREENAW

10-3-96 Person in Delinquent Status - Revocation
30 days

RECEIVED

8-19-03

EIRPHIT SHARAT PHEAK

40

VICTIM IMPACT STATEMENT

YOUR HONOR,

I will try to find words to describe how my son's murder has impacted my life. There are no adequate words to describe the pain, the anger, the despair that I have felt since JAMES was murdered. There is no way to put my shattered world back together since the biggest piece is missing. James, my precious son was my world.

James was A loving ,giving man with A heart as big as the world.I watch helplessly as all the members of our family struggle with the pain, anger and grief. James' murder took everything from me.It took my joy, my security, my rest, my future grandchildren, my peace, and my ability to enjoy anything, it also took my comfort in my old age.

It gave me sleepless nights, nightmares, night terrors, panic attacks and post traumatic stress disorder. It gave me depression and A struggle to find A reason to survive each day. It gave me tears and more tears, pain and more pain beyond my imagination. It covered my world in sadness and anger. It destroys my health A little at A time.

There is not one second that I don't long for him, he is my first thought when I awake, my final thought at night and all my thoughts throughout the day. There is not one day that I don't see his blood spilled or his cold dead body in that casket and live with the horror my son must have endured that night, the betrayal he must have felt when he realized that someone he knew could

RECEIVED
8-19-03
FBI - PORT CLERK

41

take his life without any reason or provocation. The helplessness he must have felt at that moment haunts me everyday.

The emotional and psychological scars on our family's souls will never heal. James' four children: 6 year old labresha, 4 year old twins jamaine & james, And 3 year old tamaine, will grow up without feeling the love and guidance from the father that worshipped them. Even today they cannot come into my home Without crying, they can't stand not being able to see him here.

Judge, I now ask you to sentence the murderer of my son james,to the maximum penalty allowed. This murderer had been released from prison in November for A violent crime and he murdered my son 3 months later.

This murderer was convicted by A jury, another extreme emotional trauma the victim's family must suffer in silence throughout, therefore I beg of you not to give this murderer A chance to send another victims family into this living nightmare of pain and agony.

THANK-YOU & GOD BLESS YOU

SALLIE FRIENDLY(mother of james)

13 Fleming #42
Montgomery, Al.
36105

To whom it may concern;

I am Sally Friend, the Mother of the deceased James Friend. The Bible says their shall not kill. On behalf of my son I do not wish the death penalty for the person that took my sons life but I do, want him to get out, I want him to get life without parole because he should have face the truth that he had taken my sons life and gave up not running away. I am begging that you take this in consideration and keep this person behind bars forever.

Someone that loved
Him said, "He will Friend"

Dear Judge

I'm a family member
of James Shender and I'm
writing you today to ask you
to give this man who killed
my love one the maximum
sentence of life because
James did not deserve to die
the way he did and what
he did was foolishness.

What nonsense it could be over
for the next person for less
than that. James wasn't a
Angel but compared to his killer
he's a saint. James had a
lot of good qualities. He had
a great personality, he was a
good father who took time
out with his kids, he played
on his daughter school fathers
basketball team he loved his
kids and they loved him.
The oldest kid is having a
real hard time right now

We can't mention his name around her she's a little girl without her father the boys without their father and a Mother without her son. The defendant mother can visit her son in prison but James family has to go to a grave yard to see them were we get no response of how he's doing do he need anything. It's not fair that he had to be taken at such a young age that he could not see his kids grow up enjoy grandkids see his daughter get married. If James can't get to enjoy these things then his killer should not get to enjoy them either. If this man it allowed to get out to enjoy life someone else will not get to enjoy these. Judge please give James his Justice so he can rest in peace now.

His family love him and
always will all we can
do now is look at pictures
and talk about memories
of him and make sure his
kids know how their father
was. James is missed by
everyone who knew him.

The family of James
Noemi Jordan Frendy
Latonya Frendy

46

STATE OF ALABAMA * IN THE CIRCUIT COURT OF
PLAINTIFF * MONTGOMERY COUNTY,
VS. * STATE OF ALABAMA
DARRYL J. JOYCE * CRIMINAL DIVISION
DEFENDANT * CASE NO. CC- 2002- 1417 TMH

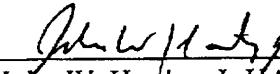
MOTION TO WITHDRAW AND REQUEST FOR COUNSEL ON APPEAL

Comes now the undersigned counsel, John W. Hartley, Jr., and respectfully requests that this Honorable Court allow him to withdraw as counsel for the Defendant and as for grounds states the following:

1. I represented the Defendant in this case as appointed counsel and the defendant has given Notice Of Appeal.

Wherefore the premises considered counsel requests this Honorable Court to allow him to withdraw from this matter.

Respectfully submitted this the 16th day of September, 2003.

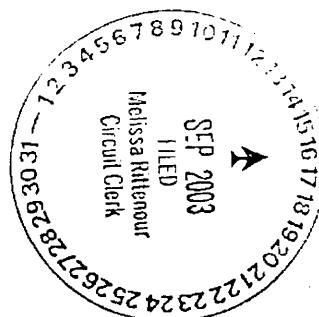

John W. Hartley, Jr HAR 060

Attorney for the Defendant
312 Scott Street
Montgomery, Alabama 36104
(334) 269-9157

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion upon the District Attorney for Montgomery County, by placing a copy of the same in her box located in the Circuit Clerk's Office in the Montgomery County Courthouse, on this the 16th day of Sept. 2003


John W. Hartley, Jr



IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA,

*

Plaintiff,

*

v.

* CASE NO. CC-02-1417 TMH

DARRYL J. JOYCE,

*

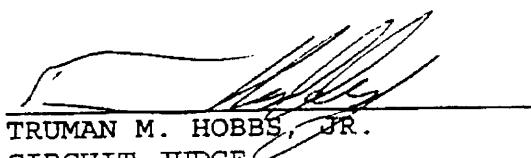
Defendant.

*

ORDER

This cause is before the Court on a Motion To Withdraw filed by the Honorable Wiley Hartley. The Court having considered the matter it is ORDERED that Mr. Hartley's Motion to Withdraw is granted and the Honorable Aimee C. Smith is appointed to represent Defendant on appeal of this matter.

DONE this the 17th day of September, 2003.


TRUMAN M. HOBBS, JR.

CIRCUIT JUDGE

copies:

Wiley Hartley, Esq.
Aimee C. Smith, Esq.
Ben Shoettker, D.D.A.

RECEIVED

9-16-03

CIRCUIT COURT CLERK

ACR359

ALABAMA JUDICIAL DATA CENTER
MONTGOMERY COUNTY
TRANSCRIPT OF RECORD
CONVICTION REPORT

CC 2002 001417.00 01
TRUMAN M HOBBS

CIRCUIT COURT OF MONTGOMERY COUNTY		COURT ORI: 003045 C			
STATE OF ALABAMA VS. JOYCE DARRYL JEVON 320 BITFORD WAY MONTGOMERY AL 36108		DC NO: GJ 2002 110241.00			
		ALIAS: FAULK WILLIE LG J: 241 ALIAS: PONCHO SSN: 421313693 SID: 001342224 AIS:			
DOB: 12/30/1977 SEX: M HT: 5 11 WT: 150 HAIR: BLK EYE: BRG RACE: ()W (X)B ()O COMPLEXION: _____ AGE: _____ FEATURES: _____					
DATE OFFENSE: 02/01/2002 ARREST DATE: 02/11/2002 ARREST ORI: C03010C					
CHARGES @ CONV MURDER	CITES 13A-006-002	CT CL COURT ACTION 01 A CONVICTED 00 00			
CA DATE 07/22/2003 00/00/0000 00/00/0000					
JUDGE: TRUMAN M HOBBS		PROSECUTOR: _____			
PROBATION APPLIED ()Y()N _____		GRANTED DATE ()Y()N _____	REARRESTED DATE ()Y()N _____	REVOKED DATE ()Y()N _____	
15-18-8, CODE OF ALA 1975 ()Y (X)N CONFINEMENT: 00 00 000 PROBATION : 00 00 000		IMPOSED 00 00 000	SUSPENDED 00 00 000	TOTAL 00 00 000	JAIL CREDIT 00 00 527
DATE SENTENCED: 08/18/2003		SENTENCE BEGINS: 08/18/2003			
PROVISIONS		COSTS/RESTITUTION		DUE	ORDERED
PENITENTIARY LIFE W/O PAROL HABITUAL OFDR .		RESTITUTION \$7651.50 ATTORNEY FEE \$0.00 CRIME VICTIMS \$50.00 COST \$1623.00 FINE \$0.00 MUNICIPAL FEES \$0.00 DRUG FEES \$0.00 ADDTL DEFENDANT \$0.00 DA FEES \$0.00 COLLECTION ACCT \$0.00 JAIL FEES \$0.00		\$7651.50 \$0.00 \$50.00 \$1623.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$7651.50 \$0.00 \$50.00 \$1623.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00
		TOTAL \$9324.50		\$9324.50	
APPEAL DATE ()Y()N _____		SUSPENDED ()Y()N _____		AFFIRMED ()Y()N _____	REARREST ()Y()N _____
REMARKS: DEFENDANT SENTENCED TO LIFE W/OUT PAROLE.		THIS IS TO CERTIFY THAT THE ABOVE INFORMATION WAS EXTRACTED FROM OFFICIAL COURT RECORDS AND IS TRUE AND CORRECT.			
MELISSA RITTENOUR(CC)					
08/26/2003					

OPERATOR: DBH
PREPARED: 08/26/2003

ACR371

ALABAMA JUDICIAL DATA CENTER
NOTICE OF APPEAL TO THE ALABAMA COURT OF CRIMINAL APPEALS
BY THE TRIAL COURT CLERK
IN THE CIRCUIT COURT OF MONTGOMERY COUNTY
STATE OF ALABAMA VS JOYCE DARRYL LEVON JUDGE: TRUMAN M HOBBS

APPEAL DATE: 08/18/2003

INDIGENCY STATUS:

GRANTED INDIGENCY STATUS AT TRIAL COURT:	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
APP. TRIAL COUNSEL PERMITTED TO W/D ON APPEAL:	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
INDIGENT STATUS REVOKED ON APPEAL:	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
INDIGENT STATUS GRANTED ON APPEAL:	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO

DEATH PENALTY: NO

APPEAL TYPE: STATE CONVICTION

THIS IS AN APPEAL FROM A CONVICTION.

DATE OF CONVICTION: 07/22/2003

DATE OF SENTENCE: 08/18/2003

YOUTHFUL OFFENDER STATUS: DENIED

CO/CASE NUMBER: 03/CC 2002 001417.00

CODE: MURD CONVICTION: MURDER

ACTION: CONVICTED

SENTENCE: CONF: 00 YRS 00 MOS 000 DAYS
SENTENCE: FROB: 00 YRS 00 MOS 000 DAYS

STATUTE: 13A-006-002

LIFE: NO LIFEWG: YES

POST-JUDGMENT MOTIONS FILED:	DT FILED	DT DENIED	CON BY AGREE
MOTION FOR NEW TRIAL	-----	-----	-----
MOTION FOR JUDG. OF ACQUIT	-----	-----	-----
MOTION TO W/D GUILTY PLEA	-----	-----	-----
MOTION FOR ATTY TO W/DRAW	-----	-----	-----
OTHER	-----	-----	-----

COURT REPORTER (S):

ADDRESS: SHELTON, JUDY
JUDGE TURMAN M HOBBS JR
MONTGOMERY , AL 36104

APPELLATE COUNSEL #1:

ADDRESS: HARTLEY JOHN W JR
312 SCOTT ST.

PHONE NUMBER:

MONTGOMERY , AL 36104
205-269-9157

APPELLATE COUNSEL #2:

ADDRESS:

PHONE NUMBER:

APPELLANT (PRO SE):

ADDRESS: JOYCE DARRYL LEVON
320 BITFORD WAY
MONTGOMERY , AL 361060000

AIS #:

APPELLEE (IF CITY APPEAL):

ADDRESS:

I CERTIFY THAT THE INFORMATION PROVIDED
ABOVE IS ACCURATE TO THE BEST OF MY
KNOWLEDGE AND I HAVE SERVED A COPY OF
THIS NOTICE OF APPEAL ON ALL PARTIES TO
THIS ACTION ON THIS 27th DAY OF August, 2003

OPERATOR: DBH
PREPARED: 08/27/2003
Delores Pittman
CIRCUIT COURT CLERK

State of Alabama Unified Judicial System Form ARAP- 1C	REPORTER'S TRANSCRIPT ORDER -- CRIMINAL See Rules 10(c) and 11(b) of the Alabama Rules of Appellate Procedure (A.R. App.P.)	Criminal Appeal Number CR - 02-2104 TH 50
--	---	---

TO BE COMPLETED BY COUNSEL FOR THE APPELLANT OR BY THE APPELLANT IF NOT REPRESENTED AND FILED WITH THE WRITTEN NOTICE OF APPEAL OR FILED WITHIN 7 DAYS AFTER ORAL NOTICE OF APPEAL IS GIVEN.

CIRCUIT COURT DISTRICT COURT JUVENILE COURT OF Montgomery COUNTY
Darryl Jevon Joyce, Appellant

V. STATE OF ALABAMA MUNICIPALITY OF _____

Case Number <u>CC-02-1417</u>	Date of Judgment/Sentence/Order <u>8-18-03</u>
Date of Notice of Appeal Oral: <u>8-18-03</u>	Indigent Status Granted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

PART 1. TO BE SIGNED IF THE APPEAL WILL NOT HAVE A COURT REPORTER'S TRANSCRIPT:

I CERTIFY THAT NO REPORTER'S TRANSCRIPT IS EXPECTED AND THAT THE RECORD ON APPEAL SHALL CONSIST OF THE CLERK'S RECORD ONLY. IF THE APPEAL IS FROM DISTRICT COURT OR JUVENILE COURT, I ALSO CERTIFY (1) THAT A STIPULATION OF FACTS WILL BE INCLUDED IN THE CLERK'S RECORD AND THAT THE APPELLANT WAIVES HIS RIGHT TO A JURY TRIAL IF SO ENTITLED; OR (2) THAT THE PARTIES HAVE STIPULATED THAT ONLY QUESTIONS OF LAW ARE INVOLVED AND THAT THE QUESTIONS WILL BE CERTIFIED BY THE JUVENILE/DISTRICT COURT FOR INCLUSION IN THE CLERK'S RECORD (SEE RULE 28(A)(1), ALABAMA RULES OF JUVENILE PROCEDURE, AND §12-12-72, CODE OF ALABAMA 1975)

Signature _____ Date _____ Print or Type Name _____

PART 2. DESIGNATION OF PROCEEDINGS TO BE TRANSCRIBED. Request is hereby made to the court reporter(s) indicated below for a transcript of the following proceedings in the above referenced case (see Rule 10(c)(2), Alabama Rules of Appellate Procedure (A.R. App. P.)):

MARK PROCEEDINGS REQUESTED:

- A. **TRIAL PROCEEDINGS** - Although this designation will include the judge's instructions, sentencing proceedings, a transcript of the organization of the jury and arguments of counsel may be designated separately
- B. **ORGANIZATION OF THE JURY** - This designation will include voir dire examination and challenges for cause. Note that in noncapital cases the voir dire of the jury will not be recorded unless the trial judge so directs. (See Rule 19.4, ARCP)
- C. **ARGUMENTS OF COUNSEL** - Note that in noncapital cases the arguments of counsel will not be recorded unless the trial judge so directs (See Rule 19.4, ARCP)

IN ADDITION TO ANY PROCEEDINGS DESIGNATED ABOVE, SPECIAL REQUEST IS HEREBY MADE TO INCLUDE THE FOLLOWING PROCEEDINGS IN THE REPORTER'S TRANSCRIPT PORTION OF THE RECORD ON APPEAL. (ATTACH ADDITIONAL PAGES IF NECESSARY):

ADDITIONAL PROCEEDINGS REQUESTED DATE COURT REPORTER(S)

- D. _____
- E. _____
- F. _____
- G. _____

IMPORTANT NOTICE: The court reporter who reported the proceedings for which a transcript is requested must be identified on this form to be effective. Additionally, it is important to note that the appellant may not be permitted to raise any issue on appeal relating to any proceedings in the case that are not specifically designated on this form for inclusion in the reporter's transcript. A general designation such as "all proceedings" is not sufficient. (See Rule 10(c)(2), A.R.App.P.)

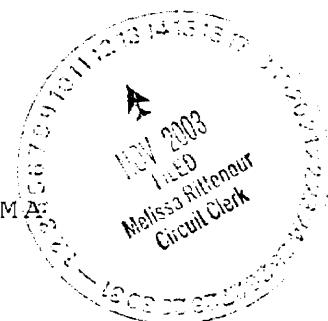
PART 3. MUST BE SIGNED IF THE APPEAL WILL HAVE A COURT REPORTER'S TRANSCRIPT:

I CERTIFY THAT I HAVE DISTRIBUTED THIS FORM AS SET OUT BELOW. I ALSO CERTIFY (1) THAT I HAVE MADE SATISFACTORY FINANCIAL ARRANGEMENTS WITH EACH COURT REPORTER LISTED ABOVE FOR PREPARING HIS OR HER PORTION OF THE REPORTER'S TRANSCRIPT HEREIN REQUESTED; OR (2) THAT THE APPELLANT PROCEEDED AT TRIAL AS AN INDIGENT AND THAT THAT STATUS HAS NOT BEEN REVOKED; OR, (3) THAT THE APPELLANT HAS BEEN GIVEN PERMISSION TO PROCEED ON APPEAL IN FORMA PAUPERIS.

Signature Aimee C. Smith Date 10-1-03 Print or Type Name Aimee C. Smith

DISTRIBUTION: Original filed with Clerk of Trial Court and copies mailed to: (1) Clerk of the Court of Criminal Appeals, (2) the District Attorney, (3) the Attorney General or the municipal prosecutor in lieu of the District Attorney and the Attorney General if the appeal is from a municipal conviction, and (4) to each Court Reporter who reported proceedings designated for inclusion in the reporter's transcript.

51

IN THE CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA,)
Plaintiff,)
VS.) CC NO. 02-1417
DARRYL J. JOYCE,)
Defendant.)

----- / INDEX TO REPORTER'S TRANSCRIPT ON APPEAL

EXHIBITS ADMITTED

✓ SX 1 - Photograph	186
✓ SX 2 - Photograph	186
✓ SX 2A - Photograph	193
✓ SX 3 - Photograph	186
✓ SX 4 - Photograph	186
✓ SX 5 - Photograph	186
✓ SX 6 - Photograph	145
✓ SX 7 - Photograph	138
✓ SX 8 - Photograph	252
✓ SX 9 - Photograph	144
✓ SX 10 - Photograph	252
✓ SX 11 - Photograph	252

53

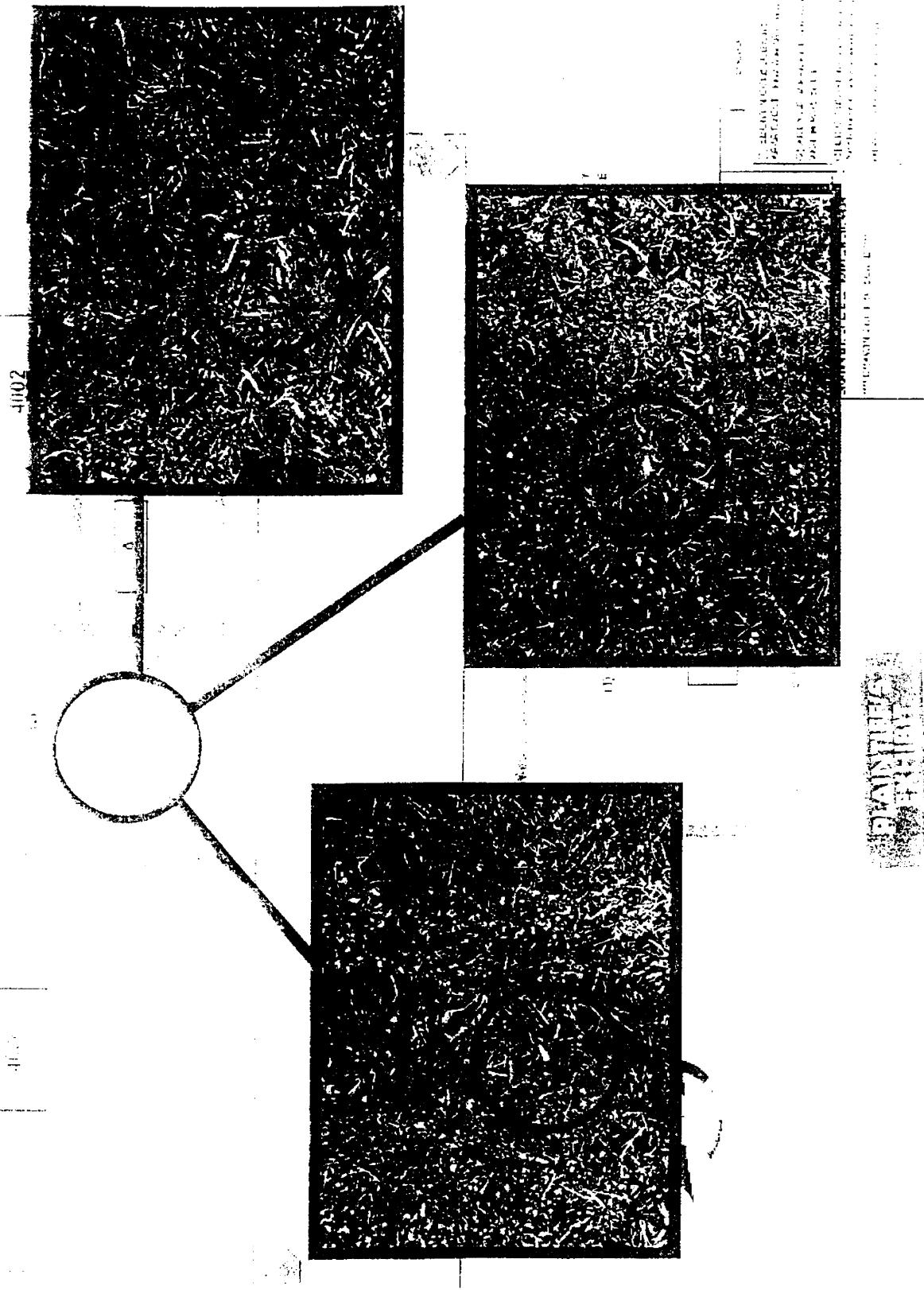
STATE'S
EXHIBIT

4 06

54

STATE'S
EXHIBIT





56

STATE'S
EXHIBIT



58

STATE'S
EXHIBIT

59

STATE'S
EXHIBIT





STATE'S
EXHIBIT





STATE'S
EXHIBIT

63

STATE'S
EXHIBIT



65

STATE'S
EXHIBIT

12



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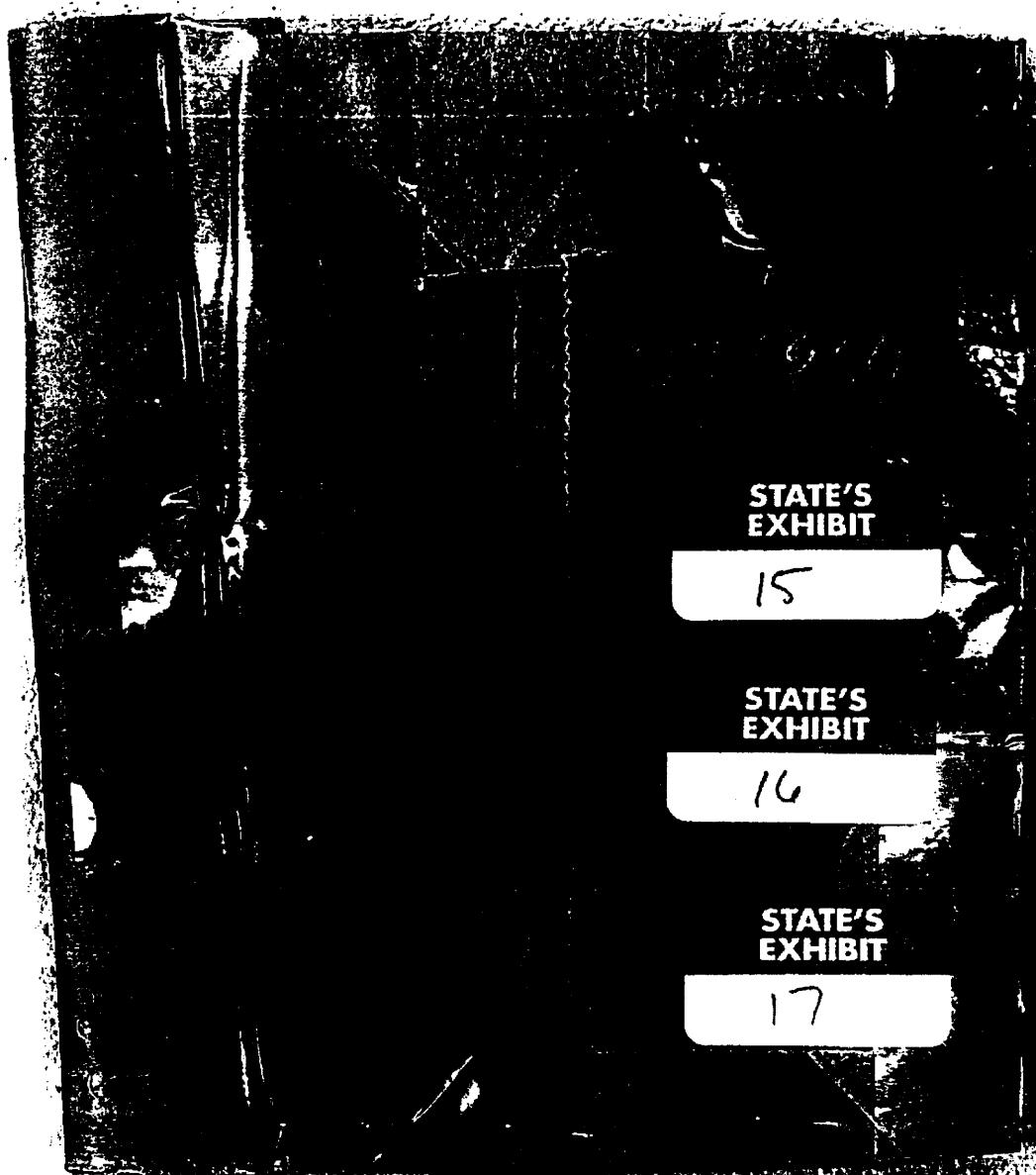
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EXHIBIT

EXHIBIT





68

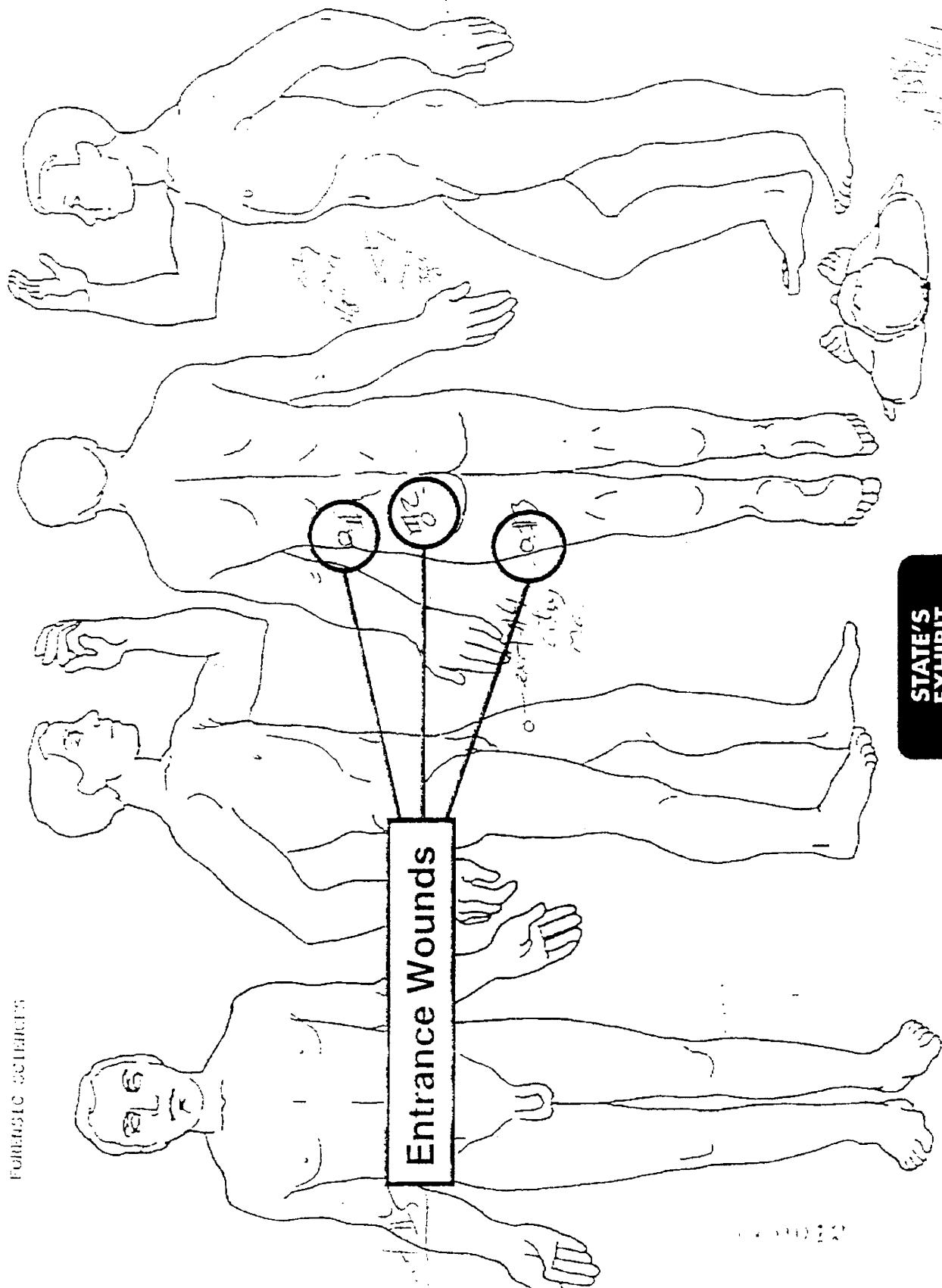


Case No. 01009-001

Date: February 20, 06

Attala County Sheriff's Office

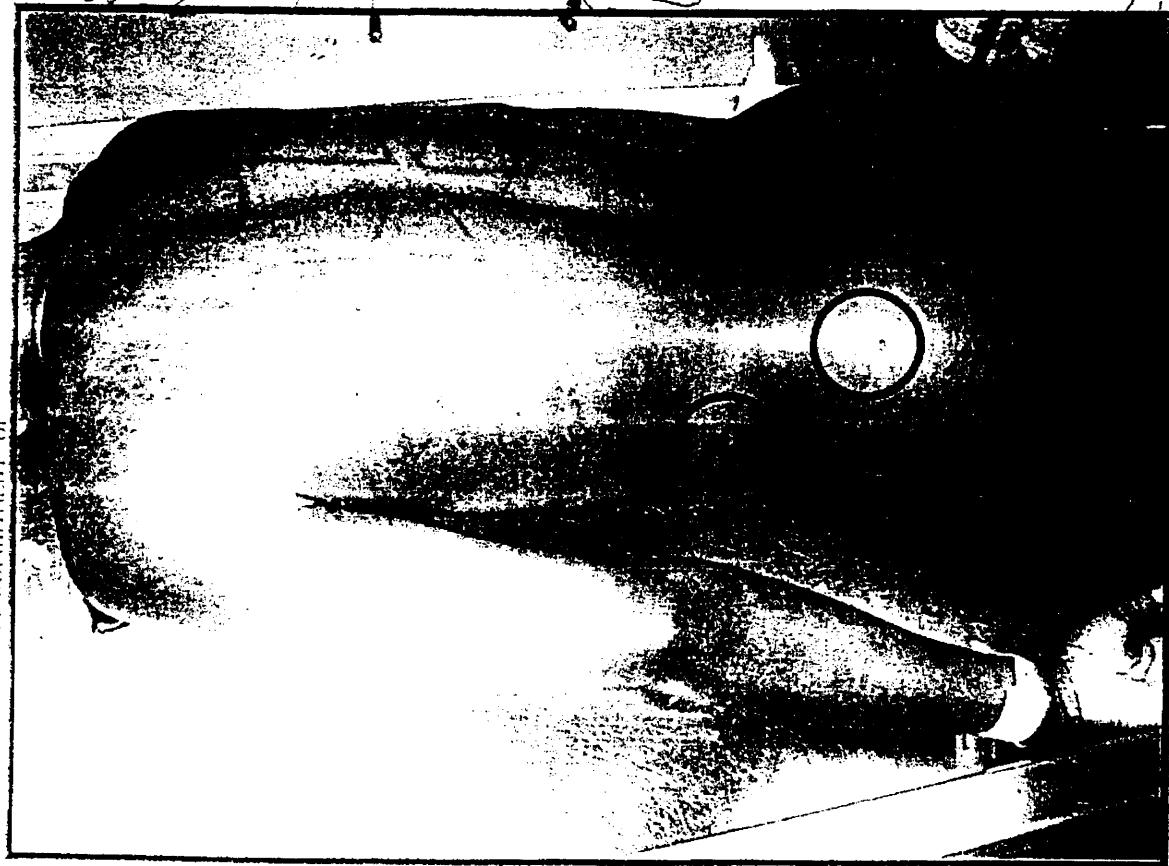
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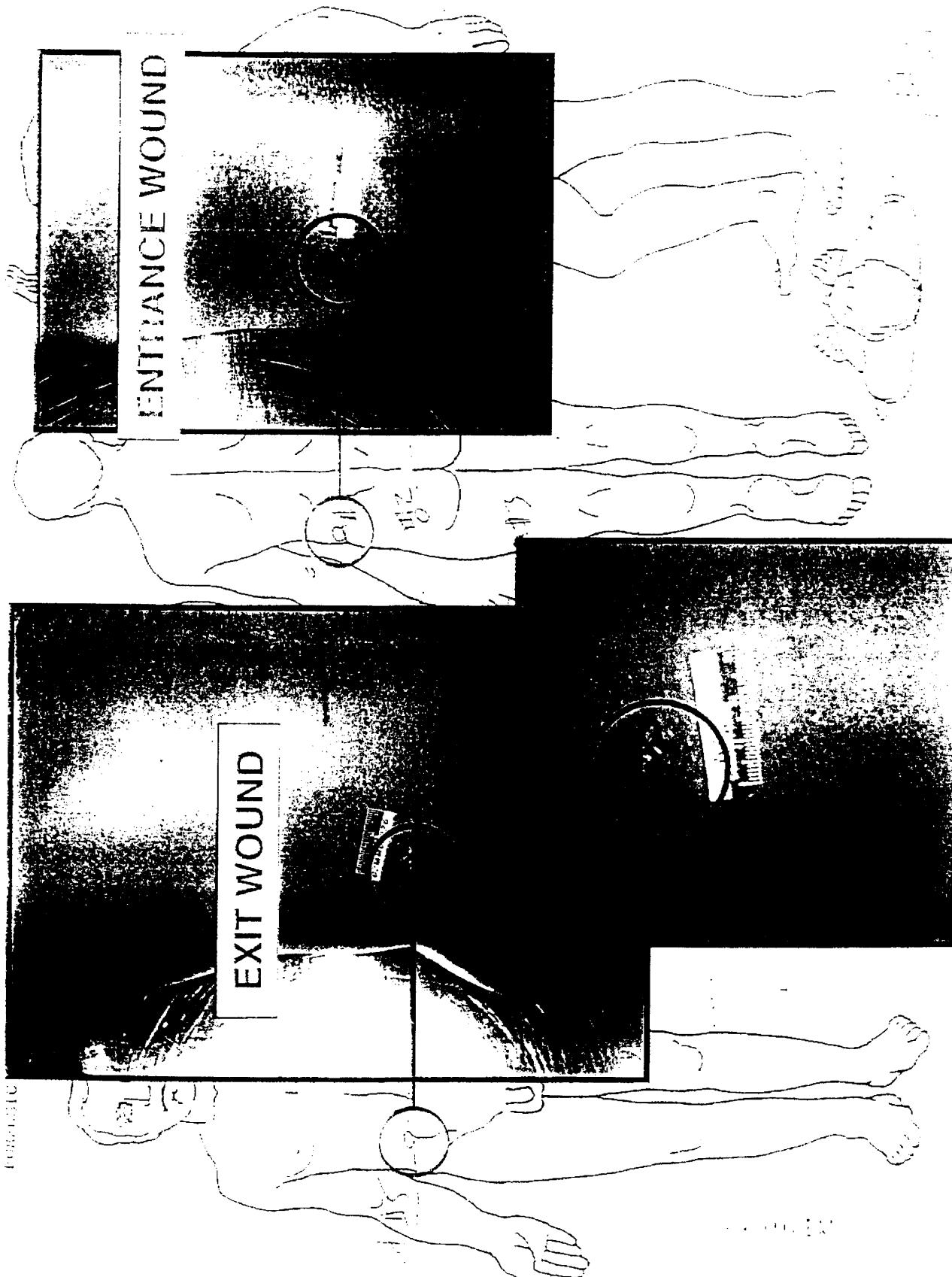


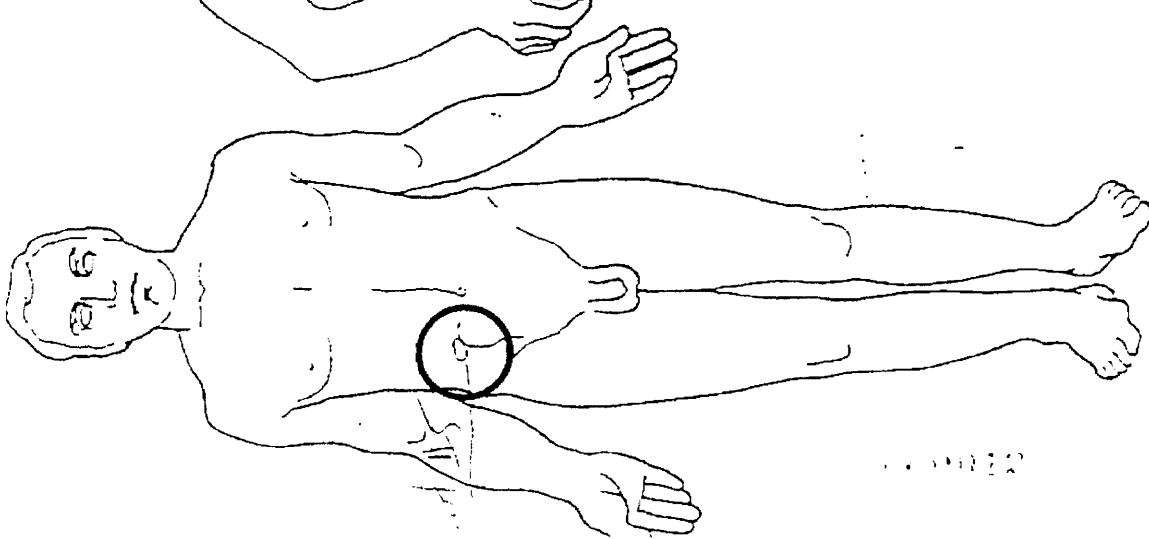
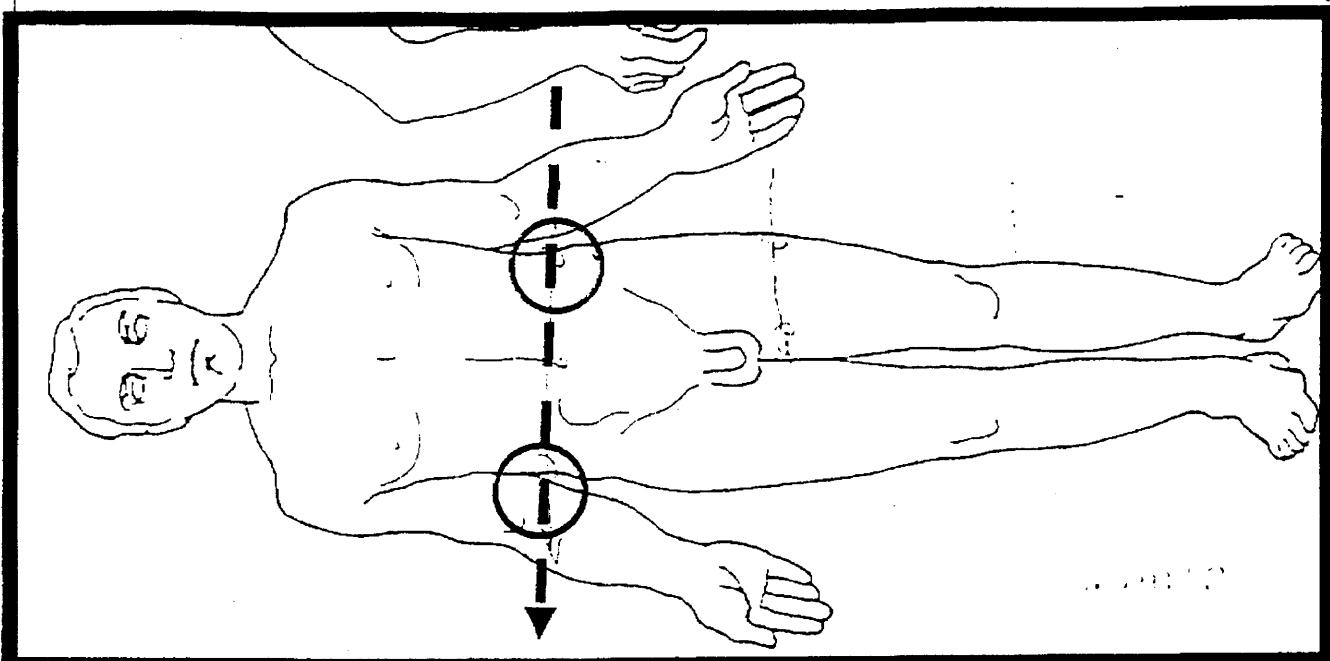
STATE'S EXHIBIT

20

1. *Chemical Oxidation*
2. *Hydrogen Peroxide*







ATLANTA MEDICAL CENTER

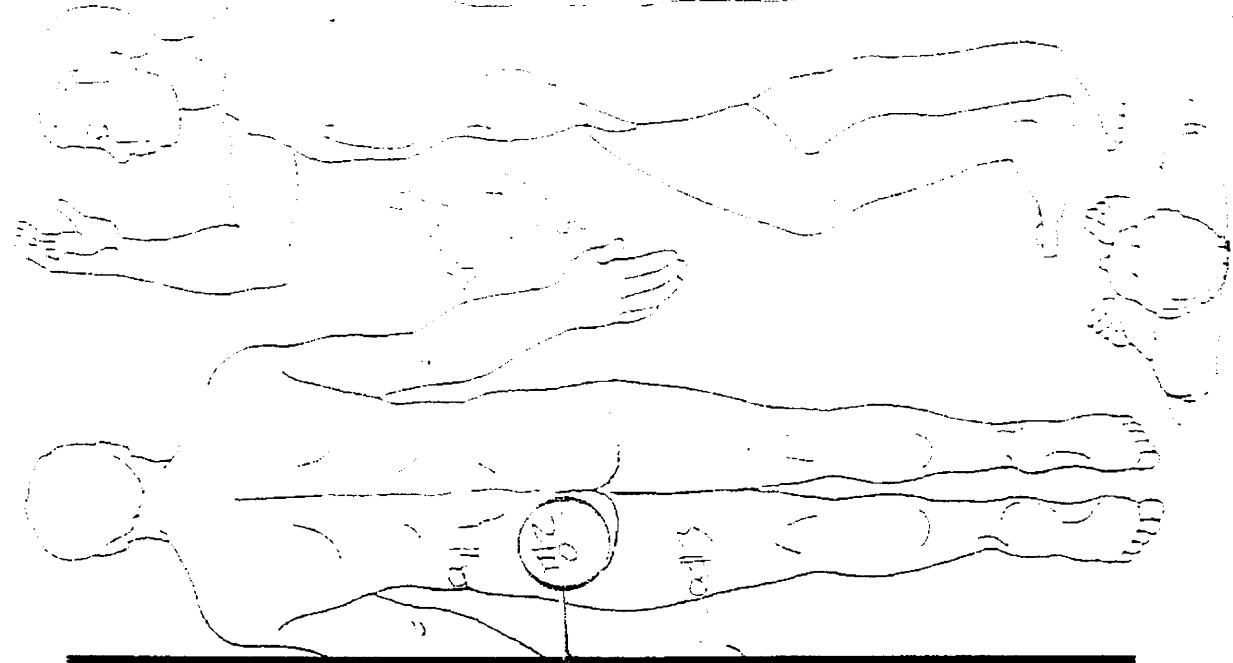
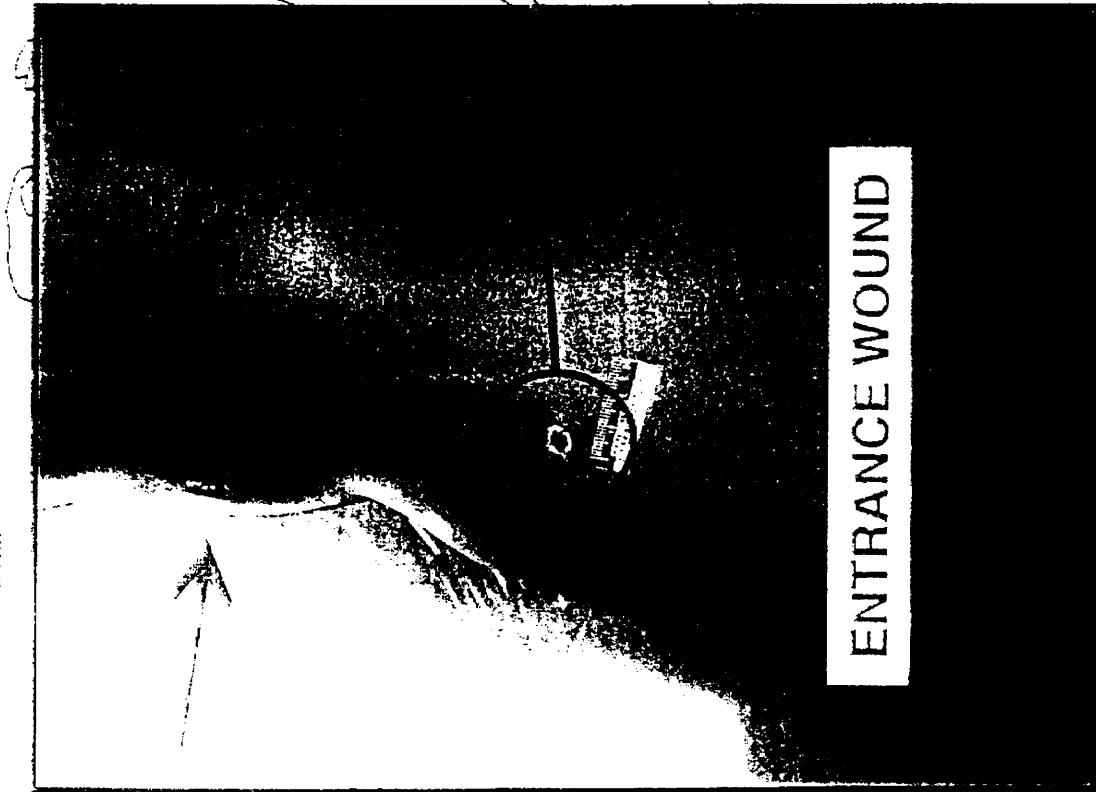
FORENSIC SERVICES

03052-22

Date of Victim's Death

Address of victim at time of
fatal attack

Fatalistic Attitudes



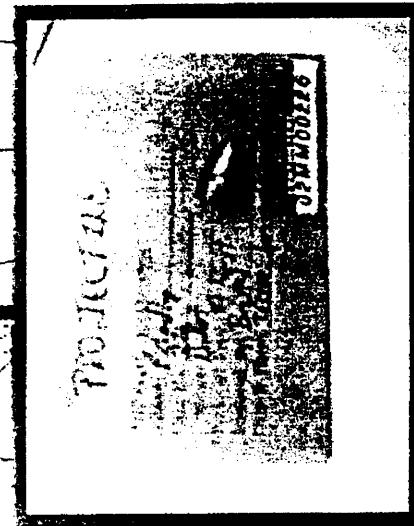
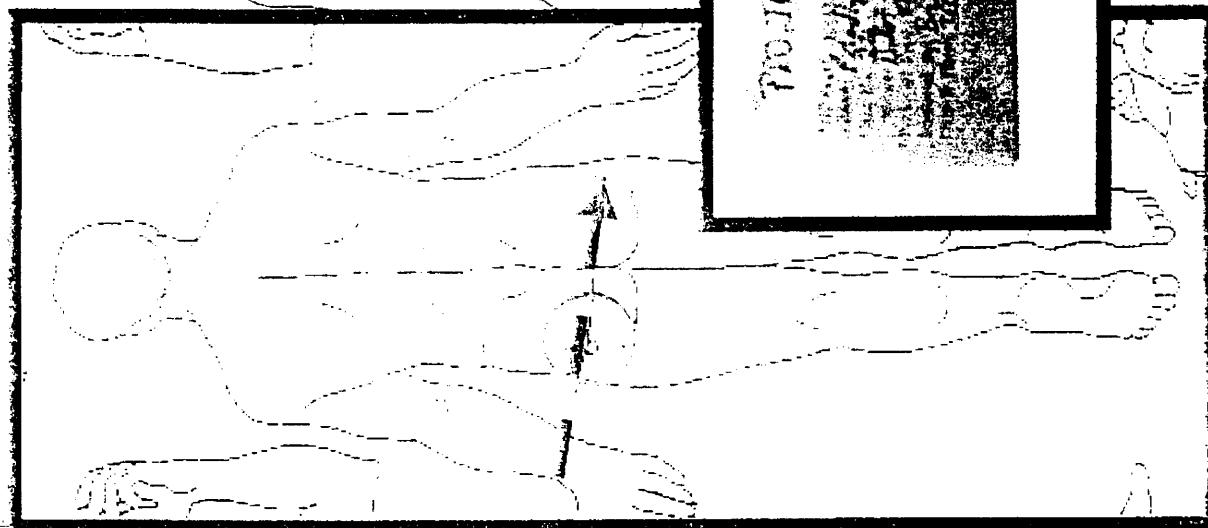
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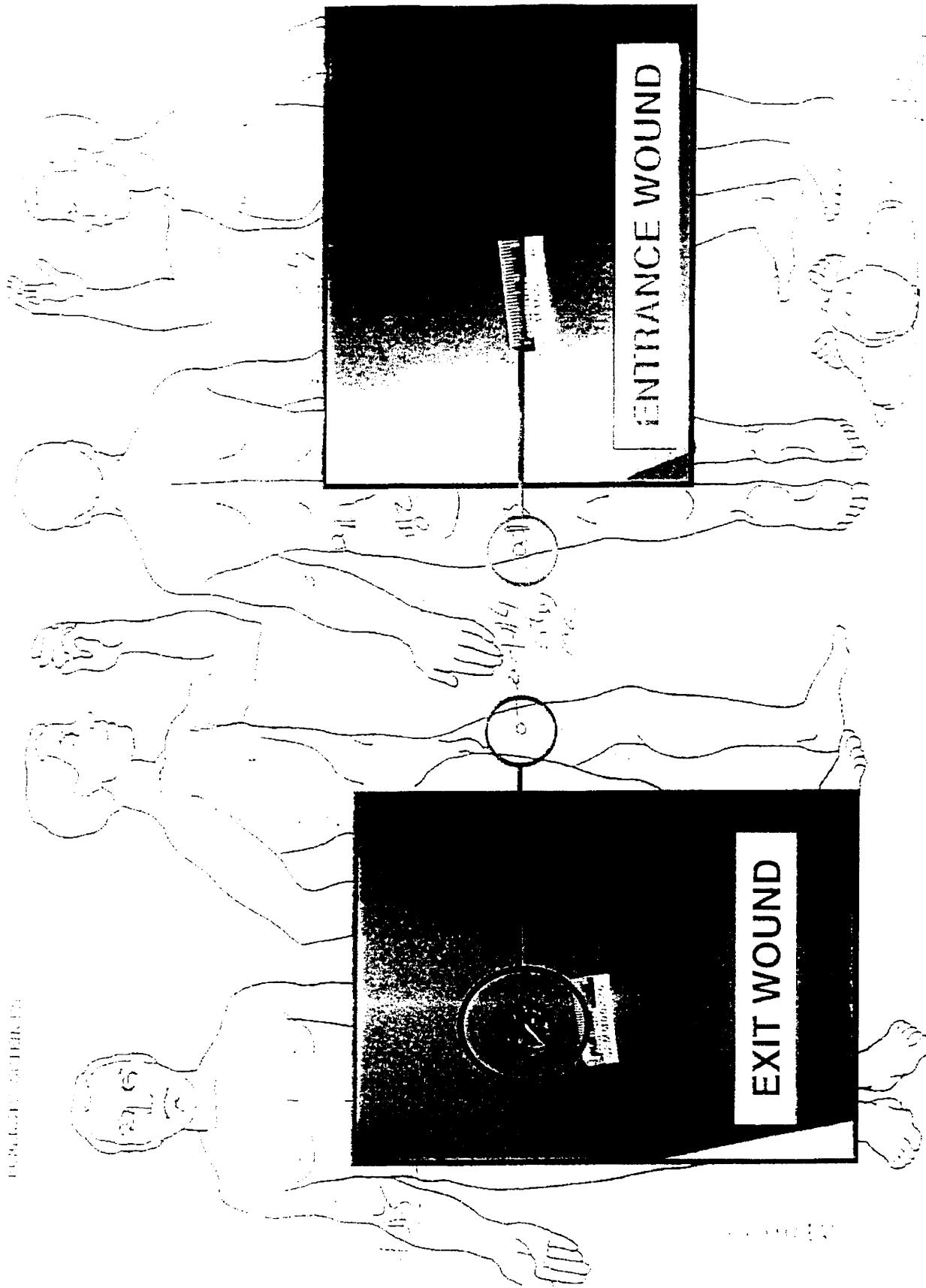
Name: Chambers, G. L.

Date:

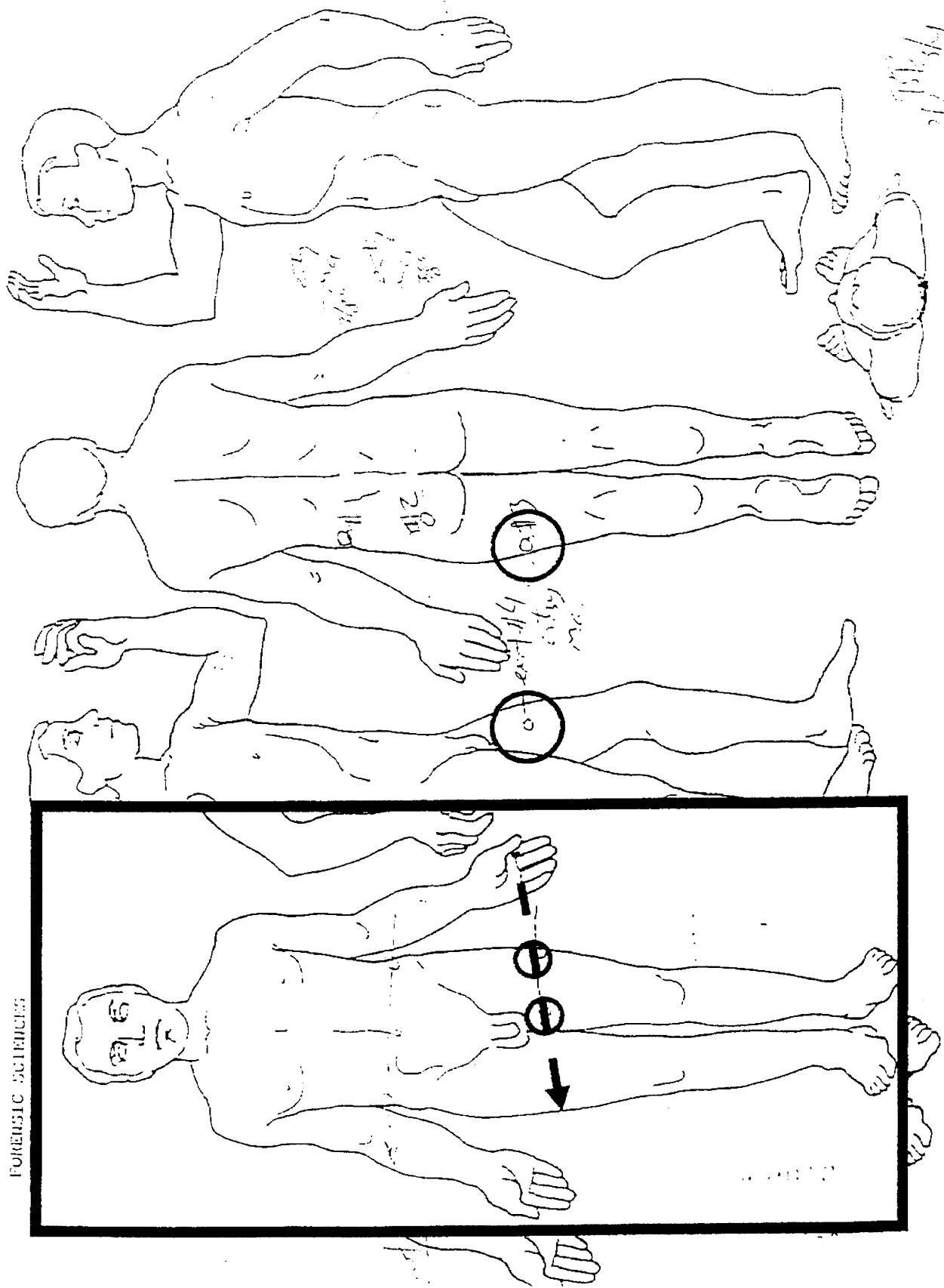
Address or location of
incident: 36-143-15



Device
of
Penetrating
injury
and
bullet
path



76



ATLANTIC MEDICAL CENTER OF
FORENSIC SCIENCES

ATLANTA

BENJAMIN LEE BRISTOL

WORK EXPERIENCE

Alabama Department of Forensic Sciences,

Medical Examiner 2/01-11/02

Montgomery, AL

EDUCATION

Hartford Hospital, Department of Pathology
AP/CP Residency, 1999

Hartford, CT

University of Connecticut, School of Medicine
MD, 1993

Farmington, CT

Harvard University
B.A Biochemistry, 1987

Cambridge, MA

FELLOWSHIPS

Office of the Chief Medical Examiners
Forensic Medicine Fellow, 2000

Orlando, FL

Hartford Hospital, Department of Toxicology
Post Graduate Year 5 Toxicology Subspecialty, 1999

Hartford, CT

RESEARCH EXPERIENCE

Hartford Hospital, Department of Toxicology
Toxicology research involving solid phase extraction
and gas chromatography/mass spectrometry, 1999

Hartford, CT

"Adulteration of Urine by Urine Luck"
Journal of Clinical Chemistry, 1999

Harvard University, Harvard Medical School
Molecular biology research involving tissue culture,
enzymes, electrophoresis and flow cytometry, 1987

Cambridge, MA

CERTIFICATION

AP certified, FP board eligible

411 CHASEWAY DRIVE; PIKE ROAD, AL 36064 (334) 279-1554 (H)

EMAIL: BENMEAL@AOL.COM

STATE'S
EXHIBIT

20-9



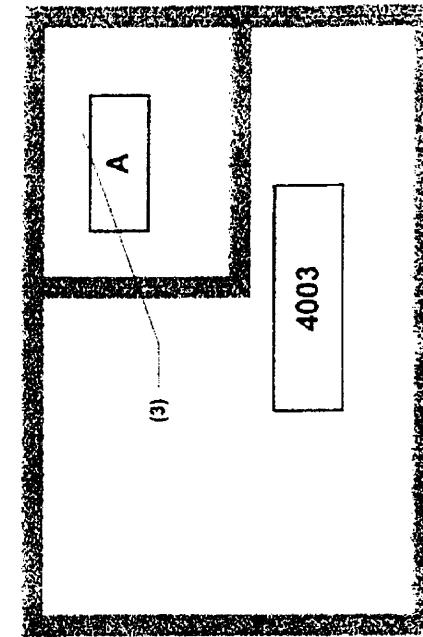
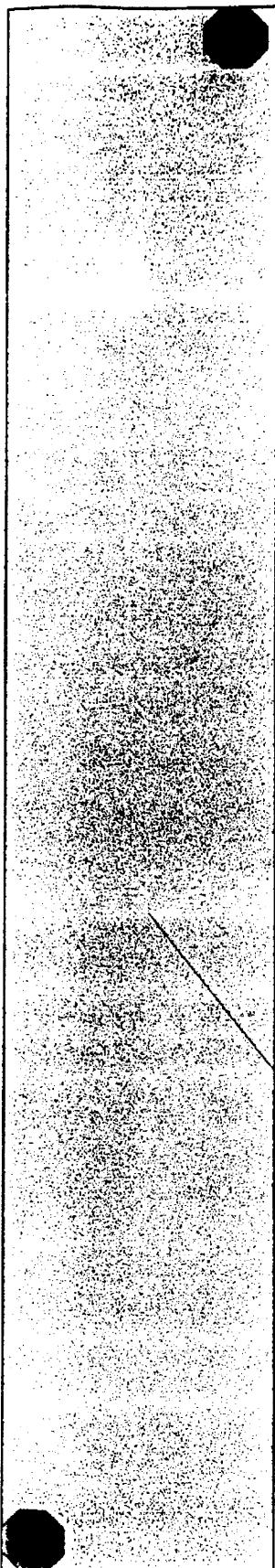
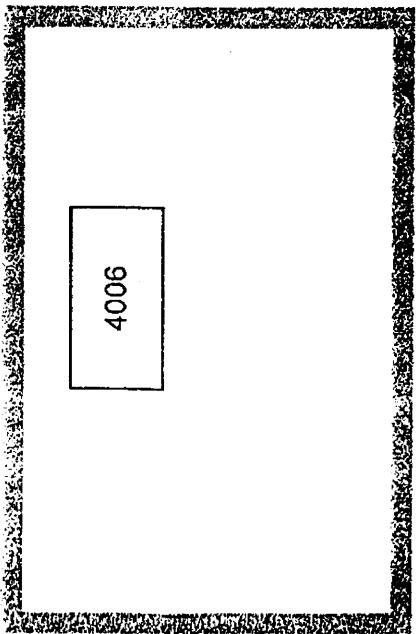
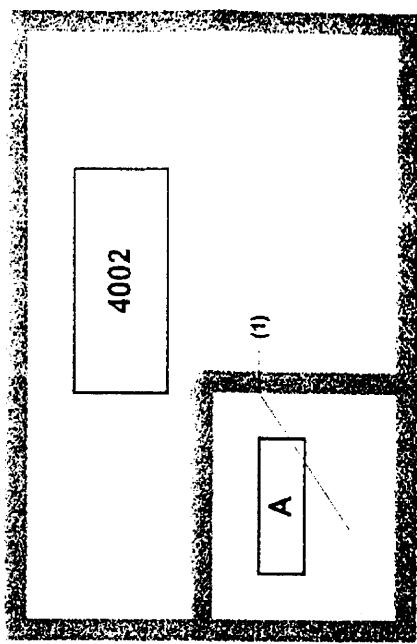
STATE'S
EXHIBIT

21

79

STATE'S
EXHIBIT

27



OTIS LANE



CASE #02-02623

VICTIM: B/M, JAMES EDWARD FRIENDLY
DATE: 02/01/2002
TIME: 2337 HOURS
LOCATION: 4000 BLOCK OF MARYLN ST.,
MONTGOMERY, AL 36108

INVESTIGATOR: CPL. E.E. HOWTON JR. #404
DRAWN BY: CPL. E.E. HOWTON JR. #404

**** DRAWING NOT TO SCALE ****

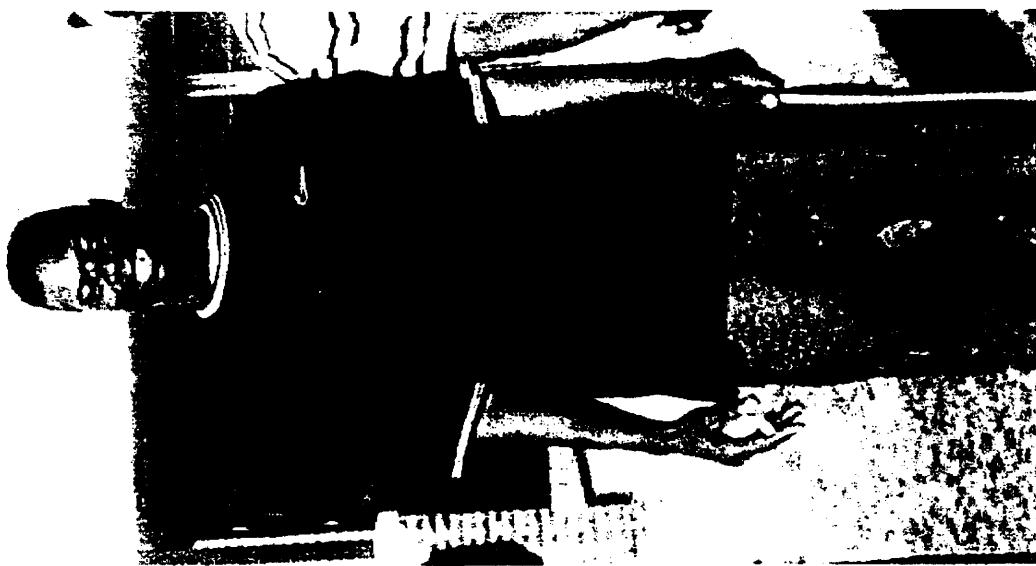
LEGEND

- (1) EBONY NICOLE JUDKINS
APARTMENT: 4002-A MARYLN ST.
- (2) AREA BETWEEN BUILDINGS WHERE
VICTIM WAS SHOT.
- (3) ERIC STEWART/AMY ALBRIGHT
APARTMENT: 4003-A MARYLN ST.
- (4) 4000 BLOCK OF MARYLN ST.

STATE'S
EXHIBIT

27- 9

STATE'S
EXHIBIT



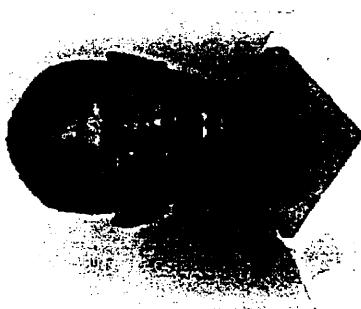
STATE'S
EXHIBIT

31

EXHIBIT
DEFENDANT'S



6



5



4

Signature: Bryant Mackie 80
Date: 2-20-06

Montgomery Police Department Case # 3

Montgomery Police Department Photo Line-up 3

State of Alabama Unified Judicial System ARAP-14	Rev. 11/91	CERTIFICATE OF COMPLETION AND TRANSMITTAL OF RECORD ON APPEAL BY TRIAL CLERK	Appellate Case Number _____
TO: THE CLERK OF THE COURT OF CRIMINAL APPEALS OF ALABAMA		DATE OF NOTICE OF APPEAL: <u>08/18/03</u>	
APPELLANT <u>Darryl Jefferson Joyce</u>			
v. STATE OF ALABAMA			
<p>I certify that I have this date completed and transmitted herewith to the appellate court the record on appeal by assembling in (a single volume of _____ pages) (_____ volumes of 200 pages each and one volume of _____ pages) the clerk's record and the reporter's transcript and that one copy each of the record on appeal has been served on the defendant and the Attorney General of the State of Alabama for the preparation of briefs.</p> <p>I certify that a copy of this certificate has this date been served on counsel for each party to the appeal.</p>			
DATED this <u>12th</u> day of <u>November</u> , <u>2003</u> .			
 Melinda Pittman Circuit Clerk			

SK
DOCUMENT NAME: Joyce, Darryl Jevon

CLIENT & MATTER: 58199-001

DESCRIPTION:

County: Montgomery

LWSOP

CC#s: 2002-1417

Attorney: Jean Therkelsen

Circle: TRANSCRIPT CASE FILE BOTH

3 volumes
JULV

CERTIFICATION

I hereby certify that the preceding imaged records and documents
are a true, accurate, and complete image of the original records or
documents as received by the Office of the Attorney General of
the State of Alabama.

This the 19th day of January, 2005.

Signed: Melissa A. Martin

Notary: Coleen F. Gibson

Coleen F. Gibson
Notary Public
Commission expires 06/11/06